# THE WORKS OF SIR WILLIAM JONES

THE

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OF

# SIR WILLIAM JONES.

IN SIX VOLUMES.

VOL. VI.

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HITOPADE'SA.

# HITÓPADÉSA

OF

# *VISHNUSARMAN.*

"We are told by the *Grecian* writers, that the *Indians* were the wiſeſt of nations; and in
" moral wiſdom, they were certainly eminent: their *Níti Sáſtra*, or *Syſtem* of *Ethicks*, is yet
" preſerved; and the Fables of *Viſhnuſarman*, whom we ridiculouſly call *Pilpay*, are the moſt
" beautiful, if not the moſt ancient, collection of apologues in the world: they were firſt
" tranſlated from the *Sanſcrit*, in the *ſixth* century, by the order of *Buzerchumihr*, or *Bright*
" *as the Sun*, the chief phyſician and afterwards *Vezír* of the great *Anúſhireván*, and are ex-
" tant under various names in more than twenty languages; but their original title is *Hitó-*
" *padéſa*, or *Amicable Inſtruction*: and, as the very exiſtence of *Eſop*, whom the *Arabs* believe
" to have been an *Abyſſinian*, appears rather doubtful, I am not diſinclined to ſuppoſe, that
" the firſt *moral fables*, which appeared in *Europe*, were of *Indian* or *Ethiopian* origin."—See
Vol. I. p. 32.

# HITÓPADÉSA*.

## THE

## INTRODUCTION.

### Praiſe to GA'NESA'.

MAY ſucceſs attend the actions of good men, by the favour of that mighty God, on whoſe head a portion of the moon appears written with the froth of the Gangà!

This *amicable inſtruction*, exquiſitely wrought in *Sanſcrit* phraſes, exhibits continually, when heard, a prodigy of wiſdom and the true knowledge of morals.

* *Hitópadéſa* is compounded of *hita* and *upadéſa*. *Hita* ſignifies *fortune*, *proſperity*, *utility*; and *dear*, or *beloved*: the compound may therefore mean (ſince *upadéſa* is *advice*) either *ſalutary*, or *amicable*, inſtruction. The *Pandits* ſay, the word has thoſe two meanings. بيد پاي *bídpai* is the proper word, but has been miſtaken for پيل پاي *pílpai*, by ſome ignorant copyiſt. In *Perſian* the word *bídpai* means *willow-footed*, which is nonſenſe, and *pilpai*, *elephant-footed*, which is not much better; but *Cáſhaſi* ſays that, in *Sanſcrit*, the word ſignifies *beloved*, or *favourite phyſician*; and that is certainly the meaning of *baidya-priya*, from which *bidpai* is formed; the author having been, it is ſuppoſed, of the *baidya*, or *medical* tribe, and a *favourite* of his *Rájá*.

The

The learned man may fix his thoughts on ſcience and wealth, as if he were never to grow old or to die; but when death ſeizes him by the locks, he muſt then practiſe virtue.

Knowledge produces mildneſs of ſpeech; mildneſs a good character; a good character wealth; wealth, if virtuous actions attend it, happineſs.

Among all poſſeſſions knowledge appears eminent; the wiſe call it ſupreme riches; becauſe it can never be loſt, has no price, and can at no time be deſtroyed.

Knowledge acquired by a man of low degree places him on a level with a prince, as a ſmall river attains the irremeable ocean; and his fortune is then exalted.

The ſcience of arms, and the ſcience of books, are both cauſes of celebrity; but the firſt is ridiculous in an old man, and the ſecond is in all ages reſpectable.

As a freſh earthen veſſel is formed by the potter, and (education is nothing elſe) thus we may ſay are children formed here below to morality.

The *acquiſition of friends*, the *breach of friendſhip*, *war*, and laſtly *peace*. Theſe four parts are here written, extracted from the *Tantra* and other works.

BOOK

# BOOK THE FIRST.

## *Mitralaba, or the Acquiſition of Friends.*

THERE is near the *Bhágiráthi*, a city named *Pátáliputra*, in which lived a prince named *Sudérſana*, adorned with every kingly virtue: one day he heard a perſon read theſe couplets:

" Learning diſſipates many doubts, cauſes things, otherwiſe inviſible, " to be ſeen, and is the eye of every one who is not abſolutely blind.

" Youth, wealth, dominion, inconſiderate actions, each of them occa- " ſions danger: Oh! what muſt all four of them do where they are " united?"

Having heard this, the *Rájá* being afflicted by the conduct of his ſons, who knew no books, and were continually walking in evil ways, thus thought within himſelf:

" Of what uſe is it, that a ſon ſhould be born, who has neither learn- " ing nor virtue? Of what uſe is a blind eye, except to give pain?

" Again:

" A ſon is born, and the family is encreaſed; but in this revolving " world, who dies without having been born?

" Why

" Why ſhould the mother of that ſon, whom the chalk marks not in " the firſt enumeration of the virtuous, have complained, had ſhe been " childleſs ?

" Of a child unborn, dead, or ignorant, the two firſt are preferable, " ſince they make us unhappy but once ; the laſt by continual degrees : " one virtuous ſon is a bleſſing, not a hundred fools ; as one moon diſſi- " pates the darkneſs, and not a number of ſtars. May the man, who " performs the duty of devout pilgrimage, a duty in every place diffi- " cult, be bleſſed with an obedient, wealthy, virtuous, and wiſe ſon.

" The continual acquiſition of wealth ; freedom from diſeaſe ; a be- " loved wife, with tender ſpeech ; an obedient ſon ; and learning, pro- " ducing riches ; theſe are the ſix felicities of living creatures.

" A father who contracts debts ; a mother who is unchaſte ; a wife " who is too handſome ; and an ignorant ſon ; theſe are dangerous " enemies.

" Knowledge not committed to memory, is poiſon ; food is poiſon to " him who cannot digeſt it ; a numerous family is poiſon to an indigent, " and a young wife, to a decrepid old mate : alas ! my child, by not " paſſing the night wiſely in reading, when thou art among the learned, " thou ſtickeſt like a calf in the mud.

" Why then ſhould not theſe, my ſons, be now made virtuous ?

" Since, as the poet ſays :

" Life, action, property, knowledge, death ; theſe five were formed " for every body that lies in the womb !

" The

"The future condition of great beings is destined with certainty; "both the nakedness of MAHA'DEVA', and the bed of VISHNU on a "vast serpent.

"What is not to be, that will not be; and if an event be foredoomed, "it cannot happen otherwise. This doctrine is a medicine, which heals "the venom of sorrow; why is it not universally drunk?

"Prosperity attends the lion-hearted man who exerts himself; while "we say destiny will ensure it. Laying destiny aside, show manly for- "titude by thy own strength; if thou endeavour, and thy endeavours "fail of success, what crime is thine in failing?

"This is the language of idleness, used by men incapable of action: "as a chariot runs not on one wheel, so the acts of man prosper not "without favourable destiny.

"Yet:

"The potter forms what he pleases with moulded clay, so a man ac- "complishes his works by his own act.

"Besides:

"A man sees a precious thing before him, and gains it as rarely as "the fruit of the *Tála* falls by a crow shaking it: his own destiny gives "it not, it requires his manly exertion.

"Thus it is said:

"Prosperity is acquired by exertion, and there is no fruit for him who "doth

"doth not exert himſelf: the fawns go not into the mouth of a ſleeping "lion.

"A child forced to read by his parents, attains virtue; an infant is "not learned when he leaves his mother's womb. That mother is hoſ- "tile, and that father malignant, by whom a child is not made to read; "he cannot appear well among the learned, but muſt be like a heron "among the flamans."

Conſidering this, the king gave orders for an aſſembly of learned men, and ſaid: "Hear, O ye Pandits! is there any man qualified to give a "new life, by moral counſel, to my ſons, who, unacquainted with books, "ſtray continually from the right path?

"It is ſaid:

"By the company of gold, even glaſs acquires the brightneſs of a "ruby: thus, by the ſociety of good men a blockhead attains eminence.

"And it is written:

"Knowledge, O Father! is deſtroyed by aſſociating with the baſe; "with equals equality is gained; and with the diſtinguiſhed, diſtinction."

Among the reſt was a great philoſopher named *Viſhnuſarman*, who knew the principles of ethicks, and thus, like *Vrihaſpati*, ſpoke:

"O king! the princes, who are ſprung from a great family, may be "made to acquire a knowledge of morals; but no pains beſtowed on "worthleſs objects can be ſucceſsful: the heron cannot by a hundred "efforts be made to talk like a parrot; but in this family, no offspring

"without

"without virtuous principles can be born: how ſhould glaſs be gene-
"rated in a mine of lotus-coloured rubies?

"In ſix months, therefore, I will make your ſons acquainted with
"morality."

The king ſaid again, with mildneſs,

"The inſect, by aſſociating with a flower, aſcends the head of excel-
"lent perſons. The ſtone when conſecrated by holy men, acquires
"divine honour; as in eaſtern mountains every common thing blazes by
"its vicinity to the ſun; thus, by the company of the good, a man of
"ignoble condition attains brightneſs.

"Virtues to thoſe who know their value are virtues; yet even theſe,
"when they come in the way of vicious men, are vices: as rivers of
"ſweet water are excellent, but when they reach the ſea are not fit to
"be taſted.

"Be you, therefore, the director of my ſons in true virtue:" ſaying this, he mildly delivered his children to *Viſhnuſarman*, who while they ſat with pleaſure before him on the top of the palace, thus began: "The
"time of the wiſe is paſſed in the delights of poetry; that of the fooliſh,
"in vice, in idleneſs, or in quarrelling.

"Chuſe, therefore, to live with true delight; and I will tell you the ad-
"mirable ſtory of the crow, the tortoiſe, and their friends." The princes ſaid, "Tell it, Sir;" and *Viſhnuſarman* continued his diſcourſe: "Hear
"then the book called *Mitralaba*, or the *Acquiſition of Friends*; of which
"this is the firſt verſe:

"Without equipage, without wealth, yet, wiſe and united by friend-


"ſhip;

" ſhip; the crow, the tortoiſe, the antelope, and the rat, performed great " actions with celerity." " How was that?" ſaid the princes.

*Viſhnuſarman* ſaid: " Near the *Gódáveri* ſtands a large *Salmali*-tree, " on which birds, coming from all quarters, rooſted at night. One day " when the gloom had juſt departed, the moon being ſtill in his manſion " unperceived—that moon, who is a friend to the night-flowers worſhip- " ing God—a raven named *Laghupatanaca*, or *light-wing*, being awakened, " ſaw a fowler approaching, like the genius of death, and alarmed at the " ſight, ſaid to himſelf: This morning an enemy appears: I know not " what noxious fruit is ripening; ſo ſaying, he flew off by degrees; and " the fowler, paſſing by and ſcattering grains of rice, fixed his net: in this " very point of time, a prince of pigeons named *Chitragriva*, or *painted-* " *neck*, with many others fluttering in the air perceived the rice. The " pigeons, eagerly deſiring to pick up the grains, their prince ſaid to " them: How, when no perſons are here, could grains of rice be collect- " ed? Let us deliberate: I like it not. I ſee no reaſon for touching " them: doubtleſs from this coveting of rice, the ſame evil will happen, " as when, through coveting a bracelet, the traveller had a fall in the " deep mire, and thus periſhed in the claws of an old tiger. How was " that? ſaid the pigeons. One day, anſwered *Chitragriva*, in a grove " of the *Dacan*, or South, I ſaw, as I flew along, an old tiger waſhing " himſelf with ſome *Cuſa*, or holy graſs, in his hand. Hola, travellers, " cried he, receive this, my golden bracelet: upon this a traveller eagerly " deſiring it, began to conſider, and ſaid, By good fortune has this been " offered; yet in ſeeking it danger appears.

" Surely it is no wiſe thing to covet, what cannot be attained without " peril; ſince, even nectar in heaven, with which poiſon is mixed, is " fatal to life. Neverthelefs, in all deſires danger may be feared.

" A man

" A man who meets no peril, fees no good things; he fees them, if he " live, who boldly encounters danger: let me confider this fully. Then " he cried aloud, Where is thy golden bracelet? The man went upon this " to bathe himfelf in the pool, but fell into deep mire, out of which he " could not efcape; this the tiger knew, and when the traveller began " to apprehend that he was caught, the beaft violently feized and de- " voured him: thus I may admonifh you, remembering the fatal defire " of gaining the bracelet, that no inconfiderate act ought to be attempted.

" Since it is thus faid by wife men:

" He who reftrains his appetite, a dutiful fon, a prudent and good " wife, a prince who reigns many years, he who fpeaks advifedly, and " he who acts confiderately, for a long time give birth to no misfor- " tune!

" One pigeon hearing this, in great anger exclaimed, Ah! why doft " thou talk thus? To mind the fpeeches of the old befalls us in an evil " hour, not to eat, not to affociate with females.

" Thus too it is written:

" By difregarding terrors, food, and water, all things on earth are " attained.

" If a man does nothing becaufe of his fears, by what means can he " live?

" Hearing this, all the pigeons defcended on the rice.

" Through covetoufnefs comes anger; through covetoufnefs comes " luft; through covetoufnefs come fraud and illufion: covetoufnefs is " the caufe of all fins.

" They

"They were all made captives in the meshes of the net; and all began "abusing him, by whose discourse they had fallen into the snare.

"*Chitragriva* hearing their censure of him, said, It is no fault of his: "danger arising, a friend so acts as to encrease it; as a calf is tied by a "stick to the leg of her mother (when she cannot otherwise be milked).

"In a time of disaster, and of dread, a base man is discerned: here "act circumspectly; deliberate; think.

"Thus it is said:

"Circumspection in calamity; mercy in greatness; in assemblies, good "speeches; in adversity, fortitude; in fame, resolution to preserve it; "assiduity in studying the Scriptures: these are the self-attained perfec-"tions of great souls.

"Again:

"Six faults must be abandoned by a man seeking prosperity: sleep, "drowziness, fear, anger, laziness, loitering.

"Now, do thus, all of you being united, lift up the net and fly away, "since the union of small minds performs great works; as by blades of "grass twisted together, an elephant is tied fast.

"The union even of the small and weak is beneficial; as rice stripped "of its husk will not spring from the ground.

"Thus, having consulted together, all the birds took up the net and "flew off: the fowler seeing from a distance the net caught up by them, "ran after them, and after some thought,

"Said,

"Said,

"Thefe birds, by a joint effort, have taken away my net; when they "fall down, then they will be in my power.

"Then the birds difappeared from before his eyes, and the fowler de- "fpaired of retaking them; on feeing which, the pigeons exclaimed, "What is now to be done?

"*Chitragriva* faid:

"A mother, a friend, and a father, are all three dear to themfelves; "and doing good works for another, their underftandings are ufefully "exercifed.

"Again:

"The fmall birds defert a tree with little fruit; the *ibis's* a dry pool; "the bees defert flowers, gathered yefterday; the antelopes, a burnt "thicket; women leave an indigent man, domeftics a ruined land; in "all affairs men connect themfelves with thofe, from whom fome profit "may be derived.

"Such a friend, a rat named *Hiranyaca*, dwells near the *Gandaca*, in "a wood called *Chitravan*; he will cut our cords afunder.

"Confidering this, all of them went towards the dwelling of *Hirany-* "*aca*; who, always being in fear of death, had made an hundred doors "to the hole in which he lived: being aftonifhed at the noife made by "the pigeons, he ftood filent.

"Friend *Hiranyaca*, faid *Chitragriva*, why doft thou not fpeak to "us?

"The

"The rat hearing that extraordinary addrefs, came forth, and faid, "Ah! what good fortune, my deareft friend *Chitragriva!*

"Then feeing them tied with cords, he was amazed; and having "ftopped a little, faid, My friend, what is this?

"What elfe can it be, anfwered *Chitragriva*, but the effect of our "fins in a former life? How canft thou, who art a Pandit, afk fuch a "queftion?

"From what caufe, by what inftruments, at what moment, in what "manner, by what means, in what fpace of time, in what place, a man's "actions, good or bad, are performed: from that caufe, by thofe inftru-"ments, at that moment, in that manner, by thofe means, in that fpace "of time, in that place, it pleafes *Brama*, that the man who performs "them fhall be rewarded, or punifhed.

"Again:

"Difeafes; the death of parents; pains; bonds; and uneafinefs; thefe "are the fruits of the trees, which are planted by a man's own fins.

"*Hiranyaca*, having heard this difcourfe, began to gnaw the threads "that faftened *Chitragriva*, and was departing. Not fo, my friend, faid "the chief of the pigeons, cut alfo the bonds of my comrades. I "am but weak, and my teeth are fmall, faid *Hiranyaca*, how fhall I "be able to cut all their cords? As long as my teeth remain unbroken, "fo long will I continue to cut thy ftrings. It is true, faid the chief, "but, as long as you can, cut their's alfo.

"*Hiranyaca* replied: To abandon our own, which is efpecially put "under our protection, is not the conduct of fkilful moralifts. Let a "man, for the fake of relieving his diftreffes, preferve his wealth; by his "wealth

" wealth let him preserve his wife; and, by both wife and riches, let " him ever preserve himself.

" The souls of such as desire to promote the justice of a state, and to " please God, are fit objects of preservation; when such a soul is cor- " rupted, what will it not corrupt? When it is preserved pure, what will " it not preserve?

" My friend, said *Chitragriva*, such indeed is the rule of morality; " but I am unable to endure the pain of those who are under my pro- " tection.

" A virtuous man should abandon both riches and life for the sake of " others: for the sake of the good he should quit his own good, since " death will certainly come.

" May the greatness of the noble-minded of my tribe, my state, my " countrymen, ever accompany me. You say, that it is the fruit of my " own greatness; at what time will it be so?

" Let me be even without life, not having abandoned those who are " dear to me; let that life be my death, provided my companions remain " alive.

" Still more: the body consists of bones, and substances, provided " from the flesh: how can this be preserved from death? Oh! my " friend, preserve thy good name.

" Since that which remains, must be separated from that which de- " cays; a pure soul from a filthy carcase; seek fame in preference to " bodily honours: Oh, valuable acquisition! what will it not acquire?

" The

"The interval is immenſe between corporeal qualifications and "ſciences; the body in a moment is extinct, while knowledge endureth "to the end of time.

"The rat on hearing this was delighted; and with his hair erect with "joy, ſaid, Well, well, my friend, through thy kindneſs for theſe com-"panions, the Creator of the three worlds will clear thee of evil. Say-"ing this, and having gnawed the ſtrings of them all, he received them "as gueſts; and, altogether, having performed their adoration, he ſaid, "My dear *Chitragriva*, certainly they who have experienced the pain "of captivity in a net, ſhould not be ſecure from the fear of committing "ſome great crime.

"It is written by the poet:

"The bird, who from the diſtance of many hundred leagues, can diſ-"cern his food; he, only, even in the hour of death, ſees no ſnare.

"Obſerving, that the ſun and moon are put to pain by the dragon, "that elephants and ſerpents are confined with cords, and that the moſt "learned men are often the moſt indigent; I confine my deſire of know-"ledge to the ſtupendous and all-powerful GOD.

"The birds traverſe remote regions of air, and fly together towards "diſtreſs; the fiſh are caught by fiſhers from deep waters, even from "the depth of the ſea.

"What difference is there? What avails a good heart? What ſkill is "there in chooſing a fixt ſtation? Death, ſtretching forth his hand, ſeizes "from the greateſt diſtance.

"Having thus inſtructed and entertained them hoſpitably, *Hiranyaca*

"embraced

" embraced and dismissed them. *Chitragriva*, and his companions, then " flew to their own country, and the rat retired towards his hole.

" When *Laghupatanaca* had seen all these events, he was amazed, and " said, Oh! *Hiranyaca*, thou art an excellent creature; perceiving which, " I desire to cultivate thy friendship: I too am able to assist a friend. " The rat hearing this address, ran into his hole, and said, Who art " thou? A crow, said the other, named *Laghupatanaca*. How, cried " *Hiranyaca*, laughing, can I contract friendship with thee? When " a man has deserved well of his country, a wise person associating with " him, partakes his merit; but I am food for thee, and thou my devourer, " how can intimacy subsist between us? The friendship of a devourer " is a great cause of danger; yet, a fawn was saved by a crow from " being caught by a shakàl. How was that? said the crow.

" The rat answered: In the country of *Magadha* there is a forest, named " *Champaca Vati*, in which an antelope and a crow had long dwelt in " great friendship. This antelope, having roved at liberty, was grown " fat; which being observed by a shakàl, he said within himself, Ah! " by what means can I feast on yonder delicate flesh? It may be ac- " complished if I gain his confidence. Thus meditating; and going " towards him he said, Thou art in excellent health, my friend. Who " art thou? said the antelope. I am a shakàl, said he, named *Cshudra-* " *buddhi*, and here live friendless, like a dead creature; but now having " gained thy friendship, I shall live again as thy companion among the " living, since I shall ever be thy servant. Now, when the many-rayed " god was setting, the shakàl arrived at the mansion of the antelope: " there, under the branches of a champaca tree, dwelled the crow, named " *Subbhudi*, the friend of the antelope: Who, said the crow, is this " comrade of thine? He is a shakàl, said the antelope, my chosen friend. " Oh! my beloved, said the crow, it is not right to place confidence " with too much celerity.

" For thus it is written :

" To a perſon of an unknown tribe, or temper, no one ſhould give " his houſe : by means of a cat, the vulture *Jaradgabah* was ſlain. Both " ſaid, How happened that ? The crow anſwered : There ſtands near " the *Gangá*, on a mountain called *Gridhracuta*, or Vulture-fort, a large " pracati tree ; in the hollow of which, his ſight dim with the fear of " danger, lived a vulture, named *Jaradgabah* ; by little and little he ſup- " plied his young with ſuſtenance from his own prey, and thus the other " birds of his ſpecies were ſupported.

" It happened that a cat, named Long-ears, uſed to devour the young " birds, and then to depart. The young ones perceived her coming, " and, confounded with fear, made a noiſe. *Jaradgabah* heard it, and " ſaid : Who is coming ? The cat ſeeing the vulture was alarmed, and " ſaid : Alas ! I am deſtroyed ; I cannot now retreat far from this enemy; " therefore, as my laſt reſource, let me approach him. Having reſolved " on this, ſhe went near him, and ſaid, Great ſir, I am thy ſervant.

" Who art thou ? ſaid the vulture. A cat, ſaid he. Depart far off, " ſaid the other, or thou ſhalt be chaſtiſed. Hear me, however, replied " the cat, and if I deſerve chaſtiſement, then chaſtiſe me.

" Thus it is written :

" Among different ſects it is eſtabliſhed, who, and for what, is at any " time to be puniſhed, or reſpected ; but he who knows the diſpoſition " of another, can beſt determine whether he deſerves puniſhment, or " veneration.

" Speak on, ſaid the vulture. I live here, ſaid the cat, near the *Ganga*, " in which I daily bathe myſelf ; eating neither fiſh nor fleſh, and per-

" forming

" forming the difficult tasks of a devout person: thou who art well a" quainted with justice, art, therefore, an object of confidence to m" The birds continually pray before me; therefore I came hither " hear a discourse on justice from thee, who art eminent in age ar" science. And thou who art so learned, why shouldst thou be pr" pared to beat me, who am a stranger?

" Thus says the poet:

" Even, towards an enemy coming to our house, the offices of hospi" tality must be exercised, as the tree impedes not even the wood-cutter" who stands under its shade! Straw, earth, water, and pleasing words: " these four are never absent from the houses of good men.

" A stranger who despairs of reception, departs from the house; he " goes away, leaving the crime of inhumanity in its owner, and bearing " himself the merit of a good action.

" The good are indulgent to ignorant minds, as the moon withdraws " not her light from the mansions of a Chandal (or Hindu of the " lowest cast).

" Shall cats, answered the vulture, who love delicate flesh, dwell here " with young birds? On that account I forbid thee. Then, the cat, " stroking her ears, and touching the ground with her head, thus spoke: " I who have learned the *Dermásástra*, am without appetite for flesh. I " am performing the difficult offices of religion; and regardless of the " clashing doctrine of the *Puránás*, am perfect in justice, and speak no-" thing but truth.

" He who bears no depraved passion, but suffers all things patiently, " and gives equal protection to all, that man surely rises to heaven.

" The

"The true, and only real friend, is he who follows even in death; all friendſhip elſe, periſhing with the body, ſoon departs.

"Mark the ſituations of him who eats, and of his food; ſee the ſhort friendſhip of the one, and the total deſtruction of the other.

"How greatly is a man's pain encreaſed by dying! Confirm thyſelf by this reflection, in a reſolution to preſerve all other animals.

"Since man, while the woods abound with delicacies, may be filled "with vegetable productions, Who would commit a deadly ſin for the "ſake of his burning appetite?

"Thus being truſted, he abode in the cavern; but ſome days having "elapſed, he aſſailed the young birds, carried them off, and devoured "them: during this cruel repaſt, on their plaintive cries, a queſtion was "aſked, What he was doing?

"The cat, perceiving the diſcovery, left the cavern, and run away. "The birds, having examined the place on all ſides, took up the ſcat-"tered bones of their young, and ſuſpecting that the vulture had eaten "them, united all their force, and by their firſt onſet the vulture was "killed. For this reaſon I ſay, of an unknown tribe and temper "&c.

"The ſhakal hearing this, ſaid with anger, My friend, on the firſt "ſight of this antelope, when you alſo were of an unknown tribe and "temper, I contracted a friendſhip which continually encreaſes! Hear "another verſe that ſays, Such a one is his relation, or a ſtranger; this "is the reckoning of a weak minded man: but to a man of a noble diſ-"poſition, the whole earth is related; and ſince this fawn is my friend, "be you alſo dear to me. What need is there, ſaid the antelope, of "this

"this debate, while all of you converſe with confidence in one place of "abode, live in the enjoyment of pleaſures.

"Be it ſo, ſaid the crow, ſince it is thy will. The next morning he "departed for a different part of the country.

"My beloved fawn, ſaid the ſhakàl, one day in a ſoft whiſper, at one "ſide of the wood is a field full of corn, I will take thee and ſhew it: "this was done; and the fawn, going thither daily, regaled himſelf.

"The owner of the field, having perceived his loſs, ſpread a net there; "and afterwards the antelope, venturing further into the field, was "caught in the ſnare. Who, thought he, but a friend, has power to ex- "tricate me from this net, which reſembles the net of death. In the "mean while the ſhakàl went to the ſpot, and, as he approached, thought "within himſelf, It has befallen as I wiſhed, and my purpoſe is effected "by my device: thus ſhall I glut my appetite, and feed on the fleſh of "the mangled antelope, mixt with his blood and bones. As ſoon as "the fawn diſcerned him, he was elate with joy, and exclaimed, Oh! "my friend, gnaw theſe bonds, and quickly deliver me.



"As the poet ſays:



"In perils we prove a friend; in battle a hero; in wealth a religious "perſon; a wiſe man in contracted fortunes; and in calamity kinſmen.

"The ſhakàl having looked from time to time on the net, ſaid to him- "ſelf, Happily this faſtening is ſtrong. And then ſpoke aloud: My "beloved! the net is made of leather, How can I touch it on the ſun's "day? O my friend! no other advice can be given; but to-morrow "morning what thou deſireſt ſhall be done by me.

"After

" After this, on the morrow, when the crow perceived that his friend " had not returned, he ſearched for him; and, having found him caught " in a ſnare, ſaid: My dear fawn, what is this? The conſequence, an- " ſwered he, of rejecting friendly counſel.

" As it is written:

" The man who liſtens not to the words of affectionate friends, will " give joy in the moment of diſtreſs to his enemies.

" Where is the ſhakàl? exclaimed the crow. He is at hand, ſaid the " fawn, watching for my fleſh! This, replied the crow, I predicted; " ſuch calamity I eſcape, becauſe I place no ſuch truſt: the wiſe are " continually in dread of the wicked. Then, with a ſigh, he added: " Oh, baſe ſhakàl! What, O cruel ruffian, haſt thou done!

" Thus it is truly ſaid:

" What circumvention is this of companions entertained by thee; " obliged by thy civilities; expecting thy favours; deceitfully polite!

" A friend who mars thy buſineſs in thy abſence, yet ſpeaks affection- " ately to thy face, ſhould be ſhunned as a vaſe of milk with poiſon at " its brim.

" Contract no friendſhip, or even acquaintance, with a guileful man: " he reſembles a coal, which when hot burneth the hand, and when cold " blacketh it.

" Him who injures his benefactor, his depoſitor, or any well-natured " man, O earth! O world! how canſt thou ſupport? He is a monſter " of injuſtice!

" Thus

" Thus may the character of a treacherous perſon be deſcribed. At " firſt he falls at your feet, and then drinks your blood; he hums a " ſtrange tune in your ears with ſoft murmurs, but meditates miſchief; " and having found an opening, enters without remorſe: thus, the falſe " friend and black gnats practice alike every mode of treachery.

" In the morning, when the crow ſaw the farmer advancing with a " ſtaff in his hand, he ſaid to the antelope, My beloved! feign thyſelf " to be dead, and remain motionleſs; but as ſoon as thou heareſt me " make a noiſe, run away ſwiftly.

" The owner of the corn, his eyes expanded with joy, ſaw the fawn, " who pretended to be dead: Ah! ſaid he, the animal has died of him- " ſelf—So ſaying, he took away the toil, and was diligent in preſerving " his nets. Immediately, the antelope hearing the noiſe agreed on by " the crow, ran off at full ſpeed; when the countryman aiming at him, " threw his ſtaff, and killed the jackàl, who lay concealed in a buſh.

" Thus it is written:

" In three years, in three months, in three fortnights, in three days, " the fruit of great vices, or great virtues, is reaped even in this world!

" So much for thoſe two!

" *Lagupatanaca* anſwered:

" Beſides, it would not be for my advantage to feed on thee; even as " *Chitragriva* lives, thus I live in thy life.

" The wiſdom of confiding in beaſts who act with probity, is clearly " ſeen;

" seen; in those especially, who like *Chitragriva* and thou, are good, " and have good dispositions.

" The mind of a virtuous being cannot be changed, any more than " the water of the ocean can be heated with a fire of straw.

" Thou, said *Hiranyaca*, art vicious, and with the vicious no friend-" ship should ever be contracted; a cat, a buffalo, a ram, a crow, and a " bad man, gain their own advantage by being trusted; it is not prudent, " therefore, to confide in them.

" Besides, you crows are naturally enemies of our race.

" And wise writers say:

" Make no league with an avowed enemy, but cleave to an approved " friend.

" Water, though well warmed, would quench nevertheless, the fire " that warmed it.

" An impossible thing cannot be done, but that which is possible may " be attempted: a chariot goes not on the water, nor can a ship sail on " dry land.

" Whoever, from solemn treaty, places confidence in enemies, and " enraged wives, reduces his life to nothing through his folly.

" All has been overheard by me, said *Lagupatanaca*, and I pro-" mised myself the happiness of your friendship; without obtaining " which, I will suffer my body to decay through hunger, and fall dead

" before

" before thy door: then wilt thou remember too late, that the friendſhip " of the bad, like an earthen pot, may eaſily be broken, but cannot with " eaſe be repaired; while that of the good, like a veſſel of gold, cannot " without difficulty be diſunited, but may with little pains be reſtored to " its former ſtate.

" By melting, metals are united; for mutual benefit, antelopes and " birds; through fear of danger, and love of gain, ignorant men; but " the virtuous are attached at firſt ſight.

" If the friendſhip of the good be interrupted, their minds admit of " no long change; as when the ſtalks of a lotus are broken, the fila- " ments within them are more viſibly connected.

" Piety, charity, forbearance, participation of pains and pleaſures, " goodneſs of heart, reputation, and truth; theſe are the ſciences of " friendſhip: by theſe arts, what other advantage can I acquire?

" The rat then leaving his hole, ſaid: I am delighted with thy ſweet " converſation.

" As it is written:

" To bathe in cool ſtreams, delights not ſo much a man affected by " the ſun; nor a necklace of pearls, or veſts, perfumed with ſandal, give " ſo much pleaſure to the body which they decorate, as the converſation " of a virtuous man (which almoſt ſurpaſſes all things), with friendſhip " fixt in his heart; or that of the learned, which good advice renders " venerable, and to which the application of holy ſentences, preſerved " in their memory, adds new graces.

" Not

" Not to follow advice ; to break a promife ; to beg money ; cruelty ; " abfence of mind ; wrath ; untruth ; and gaming ; thefe are the vices " of a friend : by this difcourfe, not one of thefe faults is difcerned in thee.

" As the poet fays :

" Goodnefs and truth are difcerned by a man's difcourfe ; but cow- " ardice, and a variable mind, are eafily difcovered by his conduct.

" It is one thing to hear the language of a friend, whofe heart is pure " as water, and another to hear the words of a bafe diffembler.

" Be it fo then, I comply with thy requeft.

" This being faid, they contracted a mutual friendfhip. The rat then, " having regaled his new friend with a variety of food, and vowed con- " ftant amity, re-entered his hole ; and the crow flew to his own ftation.

" Thus, a long time paffed in daily entertainments, friendly falutations, " and confidential difcourfe. One morning, my dear friend *Hiranyaca*, " faid the crow, this place is not convenient for the regular acquifition of " food ; I am therefore defirous of changing it, and removing to another. " Whither fhould we go, my friend ? faid the rat.

" The poet fays :

" A wife man walks on one foot, flowly and circumfpectly, and lives " in one place ; nor, having feen another ftation, fhould he defert his " former abode.

" There is a place, anfwered the crow, well conftituted for our pur- " pofe !

" poſe! What is that? ſaid *Hiranyaca.* The crow anſwered: In the " wood *Dandac* is a pool named *Carpuragára*, where lives an old friend " of mine, a tortoiſe, named *Menthar*, virtuous and juſt.

" As it is written:

" It is eaſy for all men to diſplay learning in inſtructing others; but " it is the part of one endued with a great mind, to form himſelf by " the rules of juſtice. He will favour me with fiſh, and other food. " What, ſaid the rat, will become of me who remain here?

" Let a wiſe man leave that country where he has neither honour nor " friends, nor kinſmen, and in which no learned perſon reſides.

" Again:

" Let no man fix his abode where five advantages are not found; " wealth, a divine teacher, a magiſtrate, a river, and a phyſician.

" Take me, therefore, with you. Immediately the crow and his be- " loved friend, amuſing themſelves with a variety of converſation, went " towards the pool.

" When *Menthar*, from a diſtance, perceived *Laghupatanaca*, he roſe, " and having greeted him, reſpectfully ſaluted the rat.

" As it is written:

" Whether a boy, a youth, or an old man, come to a houſe, he muſt " be ſaluted by its owner, with as much reverence as a ſpiritual pre- " ceptor.

" The

"The crow then began: O *Menthar!* receive us both with distin-
"guifhed honour; this gueft is *Hiranyaca*, the prince of rats, virtuous,
"noble, and in kindnefs, like the gem-producing ocean; if the king of
"ferpents were able to defcribe his virtues, he muft fpeak with two
"thoufand tongues!

"He then related the ftory of *Chitragriva*: and the tortoife having
"paid his refpects anew to *Hiranyaca*, faid: You are beft able to inform
"us of your reafon for inhabiting the wood.

"I will inform you, faid the rat; be attentive. In a town called
"*Champa*, is a place full of religious mendicants; one of them called
"*Churacarna*, has his abode there, and is ufed to fleep, having depofited
"on a beam the remnant of his food given in charity; this food, I
"having run up the beam, ufed to devour. One day an intimate friend
"of his, named *Vinacarna*, one of the religious fraternity, came to fee
"him, and fat down by him, and relating a number of adventures;
"while he, through fear of my voracity, continued waving a piece of
"cane: his gueft faid, Why are you difpleafed with my converfation,
"and intent on other things? I am not difpleafed, my good friend,
"faid the other, but fee what a conftant enemy yon rat is to me; he
"never fails to devour the food, which I preferve in a leaf. When
"*Vinacarna* had looked at the beam, How, faid he, can fo feeble an
"animal as a rat leap up fo high? This muft proceed from fome caufe.

"As it is faid:

"When a young wife took her old hufband by the locks, kiffing and
"embracing him, there was certainly fome reafon for her fondnefs.

"What was it? faid the other. And *Vinacarna* faid:

"In

" In the province of *Goura* is a town called *Canſanti*, where lived an " opulent banker named *Chandanas*; when he grew old, relying on his " wealth, he married a banker's daughter named *Lilawati*: ſhe was a " girl like the fiſh on the ſtandard of *Cámadevá*.

" And the poet ſays:

" As thoſe who have caught cold, take no pleaſure in moon-ſhine, or " thoſe who have a fever in the heat of the ſun, ſo the mind of a woman " delights not a huſband, where there is great diſparity of years.

" The old banker, however, loved her paſſionately.

" For it is ſaid:

" All who have ſouls deſire wealth and life; but a young wife is " dearer to an old man than his very ſoul.

" Soon after this, *Lilawati*, elate with youth, loſing her dignity, good " diſpoſition, and honour, became enamoured of a certain banker's ſon.

" Thus the moraliſt ſays:

" To follow their own inclinations in the houſe of their father; to " join in ſports; to mix in aſſemblies of women before men; to ſojourn " abroad without end; to aſſociate with harlots; to be always prodigal " of their wealth: theſe cauſe the ruin of women.

" Drinking with ſtrangers; converſing with bad perſons; infidelity to " huſbands; walking in public; too much ſleep; dwelling in the houſes " of others: theſe are the conſtant faults of women.

" A father

" A father ſecures a woman in infancy, a huſband in youth, children " in old age; but a woman who follows her own inclination, cannot be " ſecured.

" One day *Lilawati*, ſitting in amorous converſation with the banker's " ſon, on a pink bed, ſhining like a necklace of pearls, perceived not the " approach of her huſband; but when ſhe ſaw him ſhe roſe haſtily, took " him by the hair, and embraced him, while the lover ſlipped away. " A woman who lived cloſe by, and ſaw this, repeated in her own mind: " When a young wife, and ſo forth.

" Now, in my opinion, the encreaſed ſtrength of this rat muſt proceed " from ſome cauſe. Conſider a little, the cauſe may be important; per-" haps a treaſure is collected there.

" Since it is written:

" Every rich man, and every bad man, in all places, and at all times, " gains pre-eminence, and encreaſe of dominion, by his wealth.

" So ſaying, the religious mendicant took a ſpade, and having dug up " my hole, ſeized my long-collected hoard; after which I was deſtitute " of ſtrength, and *Chudacárna* having weakened me with pleaſure to " himſelf, and ſeeing me unable to obtain food, timidly creeping by little " and little,

" Thus ſaid:

" Every man abounding in wealth, becomes by that wealth a man of " learning; ſee, for this reaſon, how this wicked rat ſtands on a level " with his whole race collectively.

" A man

" A man who has no ſubſtance, can have but little underſtanding ; " all his actions die away like rivulets in the ſultry ſeaſon.

" He who has wealth has friends ; he who has wealth has relations ; " he who has wealth is a hero among the people ; he who has wealth is " even a ſage.

" Empty is the houſe of a childleſs man ; as empty is the mind of " a batchelor ; empty are all quarters of the world to an ignorant man ; " but poverty is total emptineſs.

" After all :

" Theſe members are not impaired ; this name alſo remains ; this " voice alſo continueth ; this knowledge is not weakened ! By the " arrogance, which wealth occaſions, a man is ruined ; ſo much for him ! " Another ſucceeds, and has the ſame end. What wonder is there in " this ?

" All this being heard and conſidered, a longer abode in that place, " then appeared improper for me ; and what this man had ſaid to the " other on the ſubject, was equally diſagreeable.

" Therefore, as it is written :

" A prudent perſon ſhould not diſcover his poverty, his ſelf-torments, " the diſorders of his houſe, his uneaſineſs, or his diſgrace.

" When the Divine diſpleaſure is incurred, and human life is expoſed " to vain diſquiet, whence, except from the thickeſt wood, can an indi- " gent man derive comfort.

" The

" The man of virtue may die, yet he becomes not avaricious ; as fire " may be extinguiſhed, but cannot be cooled.

" A ſcholar, like a cluſter of flowers, muſt remain in one of two con- " ditions, either at the head of men, or in the deſert.

" And ſince a life of beggary, in that place, would have been ex- " tremely ridiculous, therefore,

" According to the verſe :

" A mind haraſſed by indigence, would receive more content from the " body being conſumed with fire, than from a greedy graſping niggard !

" From poverty comes diſgrace ; from diſgrace, want of courage ; " from imbecility, ruin ; from ruin, deſertion of the world ; from that " deſertion proceeds anguiſh ; from anguiſh, loſs of underſtanding ; from " loſs of underſtanding, loſs of all things. Strange that poverty ſhould " be the ſource of all evils !

" Silence for the remainder of life, is better than ſpeaking falſely.

" To depart from life is better than taking pleaſure in the words of " an inſidious man ; and to ſubſiſt on alms, than to live luxuriouſly with " another's wealth.

" It is better to abandon life, than flatter the baſe.

" Servitude takes away all honour, as moon-light diſperſes the dark- " neſs, and as old age deſtroys the bloom of beauty ; and as piouſly nam- " ing God removes ſin, ſo beggary extinguiſhes a multitude of virtues !

" How

"How then could I subsist on the cates of another person? Wretched "would be that sustenance! And as bad as the gates of death.

"Superficial knowledge; pleasure dearly purchased; and subsistence "at the will of another; these three are the disgrace of mankind.

"Miserable is he who resides in a foreign land, he who eats the food "of another, and he who dwells in another's house: whoever lives must "die, and whoever dies finds rest in death!

"Having remarked this, I again endeavoured, through desire of gain, "to acquire new riches!

"And repeated the lines of the poet:

"Through avarice a man loses his understanding; and by his thirst for "wealth, he gives pain to the inhabitants of the other world, and of this.

"Then, terrified by the piece of split cane which *Venacarna* held, I "thought within myself; a covetous, discontented man, is always his "own enemy; and called to memory this couplet.

"He who possesses a contented mind possesses all things; as the snake "who is covered with his skin, has no need of slippers for his feet.

"How can that delight, which the godly-minded feel, who taste the "nectar of content, be felt by those who covet wealth, and flutter about "from place to place.

"That man has read, has heard, has practised every thing, who, lay-"ing expectation aside, seeks refuge in his despair of worldly enjoyment.

"Not to attend at the door of the wealthy, and not to uſe the voice "of petition, theſe conſtitute the beſt life of a man.

"An hundred long leagues is no diſtance for him who would quench "the thirſt of covetouſneſs; but a contented man has no ſolicitude for "graſping wealth: the ſeaſonable termination of buſineſs, therefore, is "always beſt.

"How great a duty is it to take a tender care of our ſouls! How "great a delight is good health to all creatures!

"How great a ſatisfaction is friendſhip!

"How high a gratification to the wiſe, is the completion of works "well begun!

"Let a man deſert a ſingle perſon for the ſake of his tribe; his tribe "for the ſake of his native city; his native city for the ſake of his "country; and the whole world for the ſake of his whole ſoul.

"Of two things, water drank without pain, or ſweetmeats eaten with "great fear of illneſs, I ſee by certain experience, whether gives the "more ſatisfactory pleaſure.

"Having conſidered this, I repaired to a wilderneſs, where I was ſup-"ported by a ſenſe of my own virtue; and having been entertained by "the many favours of this excellent friend, I now conſider the protec-"tion of your good qualities, as an acquiſition equal to heaven itſelf.

"As the poet ſays:

"The

" The poiſonous tree of this world bears two fruits of exquiſite " ſavour, poetry ſweet as nectar, and the ſociety of the good.

" Thy exceſſive parſimony, ſaid *Ment'hara*, was the fault, which " cauſed theſe misfortunes.

" It is written:

" A proper neglect of riches is the means of preſervation; as the " canal is preſerved by holding water negligently on its boſom.

" He who ſeeks wealth, ſacrifices his own pleaſure; and like him " who carries burdens for others, bears the load of anxiety!

" Why are not we enriched with that wealth, which fills the coffers " of thoſe who employ it neither in liberality or food.

" The wealth of a covetous man is the ſame, with reſpect to others, " as money never enjoyed; it is his property, and when loſt he becometh " miſerable.

" Liberality attended with mild language; divine learning without " pride; valour united with mercy; wealth, accompanied with a gene- " rous contempt of it; theſe four qualities are with difficulty acquired.

" Frugality ſhould ever be practiſed, but not exceſſive parſimony; " for ſee how a miſer was killed by a bow drawn by himſelf!

" How was that? ſaid *Hiranyaca.*

" In the country of *Calyánacataca*, ſaid *Ment'hara*, lived a mighty " hunter,

" hunter, named *Bhairaza*, or terrible; one day he went in ſearch of " game into a foreſt, on the mountains *Vindhya*; where having ſlain a " fawn, and taken it up, he perceived a boar of tremendous ſize; he " therefore threw the fawn on the ground, and wounded the boar with " an arrow; the beaſt, horribly roaring, ruſhed upon him, and wounded " him deſperately, ſo that he fell like a tree ſtricken with an axe.

" Thus ſays the poet:

" Water; fire; poiſon; the ſword; hunger; diſeaſe; falling from a " rock; theſe are accidents, which whenever a man meets, he is deſerted " by his vital ſpirit.

" In the meanwhile a ſhakàl, named *Lougery*, was roving in ſearch of " food, and having perceived the fawn, the hunter, and the boar, all " three dead; he ſaid to himſelf: What a noble proviſion is here made " for me!

" As the pains of men aſſail them unexpectedly, ſo their pleaſures " come in the ſame manner; a divine power ſtrongly operates in both.

" Be it ſo, the fleſh of theſe three animals will ſuſtain me a whole " month, or longer.

" A man, ſuffices for one month; a fawn, and a boar, for two; a " ſnake, for a whole day; and then I will devour the bowſtring. When " the firſt impulſe of his hunger was allayed, he ſaid: This fleſh is not " yet tender, let me taſte the twiſted ſtring, with which the horns of " this bow are joined. So ſaying, he began to gnaw it; but in the in- " ſtant when he had cut the ſtring, the braced bow leaped forcibly up, " and wounded him in the breaſt, ſo that he departed in the agonies of

" death.

" death. This I meant when I cited the verſe: Frugality ſhould ever " be practiſed, &c.

" Beſides:

" What a rich man gives, and what he conſumes, that is his real " wealth; when he dies other covetous men will ſport with his riches, " and with his women.

" What thou giveſt to diſtinguiſhed men, and what thou eateſt every " day, that, in my opinion, is thine own wealth. Whoſe is the re- " mainder which thou hoardeſt?

" But let this paſs, what uſe is there in reſuming old topics?

" Wiſe and learned men ſeek not unattainable things, grieve not for " what is loſt, and vex not themſelves in the hour of danger.

" Follow this practice, my friend, and be content.

" Many who read the ſcriptures are groſsly ignorant; but he who " acts well is a truly learned man.

" The recovery of the ſick is attained by careful meditation, not by " knowing only the names of the patients.

" A man eminent in learning, has not even a little virtue, if he fears " to practiſe it. What precious things can be ſhewn to a blind man by " a lamp, which he holds in his hand.

" My friend, new friendſhip will be contracted with the helps which a " new

" new country will ſupply. The rat ſaid: But this muſt not be com-
" plied with.

" Since it is written:

" A prince, a woman of high rank, a prieſt, an obedient ſervant, a " counſellor, never proſper by leaving their native places; in this reſpect " men reſemble their teeth, their hair, and their nails. *Ment'hara* ſaid: " This however is the ſpeech of a weak man.

" Since others write:

" Lions, elephants, and brave men, leave their country, and proſper; " while ravens, cowards, and deer, remain in theirs and periſh.

" Thus, too, it is ſaid:

" What is the buſineſs of a valiant and wiſe man? What other coun- " try can he know, but that which he has ſubdued by the ſtrength of " his arm?

" In the foreſt of which a lion armed with teeth, claws, and a tre- " mendous tail, becomes poſſeſſor; even there he quenches his thirſt " with the blood of the princely elephant whom he has ſlain.

" Frogs repair to a ſmall pond, fiſh to a full lake; but all the wealth " of others, comes to a man who exerts himſelf.

" I continually am enjoying preſent pleaſure, or feeling preſent pain: " thus pains and pleaſures revolve like a wheel!

" The

" The goddeſs of proſperity haſtens voluntarily to inhabit the manſion " of that brave man, who lives contented, diſpatches his buſineſs, knows " the difference of actions, is able to bear misfortunes, and is firm in " friendſhip !

" A hero, even without riches, attains an encreaſe of honour ; but a " baſe man, with all his collected wealth, treads the path of infamy.

" How can a dog, by running away with a necklace of gold, obtain " the noble ſpirit of a lion, whoſe nature leads to the acquiſition of emi- " nent virtues ?

" What means thy pride, O wealthy man ? When thy wealth is gone " thou art miſerable ; and the riches of men are toſſed about, like a ball, " from hand to hand.

" The ſhadow of ſummer clouds, the friendſhip of wicked men, green " corn, and women, youth, and wealth, all theſe are enjoyed but a ſhort " time.

" Strive not eagerly to attain proviſions, they are provided by GOD : " when the new-born animal falls from the mother, her nipples drop " milk for his ſupport.

" Yet more, my friend :

" He, by whom white flamans, green parrots, and richly coloured " peacocks, were made, will ſurely find proviſion for thee !

" Hear alſo, my beloved, the wonderful property of riches : they who " are acquiring them endure pain ; and when they have acquired them,

" are

" are haraſſed with perils; whence then can proceed the delights of " wealth?

" Still farther:

" Even with the love of virtue, the purſuit of wealth is excelled by " poverty: it is better to ſtand at a diſtance from mud, than to be de- " filed by bathing in it. Therefore, as food is acquired by fowls in " the air, by birds and beaſts of prey on earth, and by fiſh in the water, " ſo may a man be in all places rich.

" As death is apprehended by all animals, ſo the apprehenſions of the " rich from kings, from water, from fire, from robbers, from relations, " never ceaſe!

" In many births is pain; and what pain may not inſue? When will " there be no deſire of wealth? A deſire which is inſatiable.

" Again, O my brother, hear:

" Riches are not eaſily acquired, and when acquired, are with extreme " care preſerved; when death comes they are gone, be not therefore " anxious for wealth.

" If thirſt of riches be abandoned, who is poor? But if it continue, " and a river of gold be given to ſatisfy it, yet mean habits of ſervility " will remain with it.

" From the attainment of every deſired object, the deſire is ſatisfied; " if converſely the deſire be ſatisfied, a man, rich in himſelf, has obtained " his object!

" Still

" Still farther :

" What uſe is there in wealth to him who neither gives nor enjoys " it ? What is ſtrength to him who ſubdues not his own foes ? What " ſignifies a knowledge of the Scripture to him who fails to practiſe vir- " tue ? What is the ſoul itſelf to him who keeps not his own body in " ſubjection ?

" Why ſhould many words be uſed ? Let the preſent time be ſpent in " confidential diſcourſe.

" As it is written :

" Friendſhips, even after death ; reſentments before it, appeaſed ; and " a boundleſs liberality ; theſe are not the qualities of little ſouls.

" Thou art kind, friend *Ment'hara*, ſaid *Laghupatanaca*, and art ever " diſpoſed to give a juſt protection.

" As the poet ſays :

" By means of the good, are the good extricated from difficulties ; as " elephants who ſtick in a quagmire, can be drawn out only by ele- " phants !

" An honeſt man is delighted with an honeſt man ; but the baſe take " no delight in the juſt ; as the bee approaches the lotus with a ſoft " murmur, not the frog who ſtays fixed in one ſpot.

" Again :

" He is the only valuable man, he is the moſt excellent; he is a man " of real worth, from whoſe preſence neither they who aſk alms, nor " they who ſeek protection, depart hopeleſs or unſucceſsful.

" The three true friends, therefore, feeding and roving at pleaſure, " lived with content and happineſs. Sometime after, an antelope, named " *Chitránga*, or painted-hide, ſhewing great marks of fear, came to the " place where the friends were aſſembled; each of them perceiving his " approach, looked back with apprehenſion of danger: the tortoiſe en- " tered the water, the rat his hole, and the crow flew to the top of a " tree. The crow, however, looking round to a conſiderable diſtance, " ſaw no juſt ground of dread; and on his report they all reaſſembled. " When the tortoiſe perceived the fawn, he ſaid: Welcome, good ante- " lope, enjoy here the pleaſure of grazing at will; and honour this foreſt " by making it your abode. I am terrified by a hunter, ſaid *Chitránga*, " and come to ſeek your protection. He who rejects another, ſeeking " his protection, commits a crime, ſay the learned, equal to that of " killing a Brahman. I am deſirous of obtaining your friendſhip. A " contract of amity with you, anſwered *Hiranyaca*, is readily formed " by us.

" As the poet ſays:

" We may diſtinguiſh four ſorts of friendſhip; that contracted by our " ſons, that by our kinſmen, that tranſmitted by our anceſtors, and that " which preſerves ourſelves from danger.

" Live here then without any diſtinction between our abode, and " your own home.

" When the antelope heard this he was delighted, and having grazed " and

" and roamed at his eafe, drank fome water from a pool, and flept by " the fide of it, under the fhade of a tree.

" According to the couplet:

" Spring water, the fhade of the * Bata-tree, and a houfe built with " bricks; thefe are warm in the cold feafon, and cool in the hot.

" Friend antelope, faid *Ment'hara* when he waked, what can'ft thou fear " in this unfrequented thicket, which hunters feldom or never vifit?

" The antelope anfwered, In the country of *Calinga* is a prince, named " *Rucmangàda*, who advancing with preparations to fubdue the adjacent " regions, has fixed his ftation near the river *Chandrabhága*; and a " report has prevailed that he will come with a party of huntfmen " early in the morning towards the lake *Carpura*, fo that our ftay here " this morning appears dangerous; fuggeft fome contrivance for our " fafety.

" The tortoife hearing this, faid, with marks of fear: I will conceal " myfelf in this pond. The crow and antelope faid: We will feek a " different hiding-place.

" *Ment'hara*, faid the rat, laughing, has an advantage in returning to " the water: what advantage has an animal who lives only on land?

" Thus it is faid:

" Water is the ftrength of aquatick animals, a moat of thofe who in- " habit it, their own country of thofe who travel on foot, and of princes'

* Ficus of Linnæus.

" valour:

" valour : with this admonition, friend *Ment'hara,* be it as you deter-
" mine ; yet, when the banker's ſon ſaw the woman ſtrike her breaſt, he
" was unhappy, and ſuch unhappineſs will befall you if we are injured.
" How was that ? ſaid the company.

" In the country of *Canyacuja*, ſaid the rat, is a prince named *Viraſena*,
" and his ſon, named *Furangabala*, holds the vice-royalty of a large city
" called *Virapura* ; the prince was immenſely rich, and in the prime of
" youth. As he was walking in the city, under his command, he ſaw
" a moſt lovely girl named *Lavanyavati*, or (with a fine complexion) the
" wife of a banker. When he came to his palace, his mind being diſ-
" tracted with paſſion, he ſent a female meſſenger to her. *Lavanyavati*,
" on her part, was delighted with the ſight of the prince, and her boſom
" was rent with the arrow of love, ſo that ſhe fixed her mind on him
" alone.

" As it is written :

" No man is hated by woman, and none is truly beloved by them ; as
" cattle in a foreſt ſeek for paſture freſh and freſh.

" This damſel, therefore, having heard the diſcourſe of the female
" meſſenger, ſpoke thus : I am wholly at the ſervice of my huſband :
" how then can this be complied with ?

" It is written :

" She is a wife, who is attentive to her family ; ſhe is a wife, who is
" the life of her huſband ; ſhe is a wife, who faithfully ſerves him ; ſhe
" is not to be named a wife, in whom a huſband is not happy.

" A huſ-

" A huſband who has called on the fire to atteſt his faith, is ſurely the " ſole aſylum of his wife ; the beauty of a cocil is his ſong ; the beauty " of a woman is obedience to her huſband ; the beauty of the ugly is " learning ; meekneſs is the beauty of the pious ; but if the lord of my " life ſhall tell me to do ſuch things, I am ready to commit even this " great ſin ! Is this true ? ſaid the woman. Perfectly true, anſwered " *Lavanyavati.*

" The female emiſſary reported all this converſation to *Turangabala* ; " and when the prince heard it, he ſaid : the man muſt be invited, and " bring his wife here, and then ſhe may be gained. But how can this be " effected, ſaid the woman, think of ſome contrivance,

" For it is written :

" That may be accompliſhed by a ſtratagem, which force cannot ac- " compliſh : an elephant was ſlain by a ſhakàl, who led him into a " quagmire.

" *Turangabada* aſked, How that happened ? and the old woman an- " ſwered :

" In the foreſt of *Brahma* lives an elephant, named *Carpúratilica*, " whom, when the ſhakàls ſaw, they ſaid among themſelves, If this " animal can, by any ſtratagem, be killed, we ſhall be ſupplied with food " from his carcaſe for four months. An old ſhakàl upon this boldly " ſaid : By my ſagacity and courage his death ſhall be effected. He ac- " cordingly went cloſe to the elephant, and ſaluting him by bending his " whole body, thus addreſſed him : Divine beaſt ! grant me the favour " of an interview. Who art thou ? ſaid the elephant, and whence doſt " thou come hither ? I am, replied he, a ſhakàl, ſurnamed Little and

" Wiſe,

" Wiſe, and am ſent into thy preſence by the aſſembled inhabitants of " theſe woods. Since the vaſt foreſt cannot ſubſiſt without a king, it is " therefore determined to perform the ceremony of waſhing thee, as " ſovereign of the foreſt; thee, who art poſſeſſed of every princely " virtue.

" Thus it is ſaid:

" He who is eminent in birth, virtue, and piety, ſplendid, juſt, per- " fect in morals, is fit to be a ruler in this world.

" Again:

" Let a man firſt chooſe his king, then his wife, and then acquire his " property.

" If there be no king among mortals, whence can riches flow? Be- " ſides, a king, like the clouds, is the ſupporter of all animals: when the " clouds produce no rain, or the king is vitious, no being can live.

" Farther:

" A man always intent on gain, is bound to act well in this life, " almoſt wholly by the fear of puniſhment; and an honeſt man is hard " to be found! Thus a woman is obliged by the dread of puniſhment to " take a huſband of her own family, though he be baſe, or dull, ſick, or " poor.

" Leſt, therefore, the fortunate time for thy inauguration ſhould ſlip " away, come quickly; ſo ſaying, he roſe, and erecting his tail, ran on; " while the elephant, conceiving in his mind the deſire of royalty, " marched

" marched in the ſame road with the ſhakàl, and ſtuck in a deep bog. " Friend ſhakàl, ſaid he, what can now be contrived for my eſcape? I " am fallen into a quagmire, and cannot riſe out of it. The ſhakàl ſaid, " laughing: Take hold of my tail, my lord, and get out by the help of " it. Such is the fruit, ſaid the elephant, of my confidence in your de- " ceitful ſpeech.

" As the poet ſays:

" If thou enjoyeſt the company of the good, then wilt thou thyſelf " be happy (good); but if thou falleſt into company with the wicked, " then wilt thou fall indeed!

" Therefore, I ſaid: That may be accompliſhed by a ſtratagem, &c.

" Afterwards, by the old woman's advice, the prince took into his " ſervice the banker's ſon, named *Chárudatta*, the huſband of his beloved, " and employed him in all confidential affairs. One day the prince " coming freſh from the bath, adorned with gold and gems, ſaid to him: " I muſt celebrate the * *Gauri Puja* for a whole month; and on each " day, beginning from the preſent, thou muſt bring me, in turn, a young " woman of good family, who may pray for me to the goddeſs as fervently " as ſhe can. *Chárudatta* accordingly brought a young woman of rank, " and delivered to him, and then concealed himſelf to diſcover what " he would do: but the prince, without even touching the damſel, de- " corated her with a rich dreſs, paid his adoration together with her " to the goddeſs, and inſtantly diſmiſſed her with a guard. The huſ- " band having ſeen this, with an eager deſire of gain, next day brought " and introduced his own wife to the prince, who knowing *Langalavati*, " whom he tenderly loved, immediately aroſe, and cloſely embraced her,

* *Gauri*, one of the names of the conſort of *Siva*: alſo, a fair young woman.

" and

"and his eyes expanding with joy, led her to a couch adorned with "gems; whilſt *Charutta*, having written this on his mind, but ignorant "how he ſhould act, ſtood by afflicted and tormented. Thus, therefore, "muſt thou act and ſuggeſt ſome prudent ſcheme. The tortoiſe, how- "ever, not regarding this friendly diſcourſe, abandoned the lake and "ſtole away, while the rat, and the other friends, followed him. As "they advanced a little farther on, a huntſman, beating the thicket, "found the tortoiſe, and having tied him to his bow, brought him in "painful agitation to his houſe. The fawn, the rat, and the crow, "ſeeing this, were oppreſſed with grief. The rat mournfully exclaimed: "I find no end of misfortunes: like a perſon who attempts to traverſe "the ocean, one calamity is followed by another, and to this pain many "dangers are added.

"Yet more:

"A friendſhip ariſing from nature, grows by a change of fortune; "and a virtuous being abandons, not even in danger, a friendſhip which "art has not formed.

"Not in a mother, not in wives, not in a twin brother, not in a ſon, "can men have ſuch confidence, as in a friend united by conformity of "diſpoſition!

"Thus am I extremely miſerable! Alas, my unhappy deſtiny!

"It is therefore written:

"Happineſs and miſery are cauſed by each man's acts in a former "ſtate: thus, in this life even, I ſee the bad fruits of a preceding birth.

"The body approaches to decay; and riches produce danger, in "coming

" coming and departing: all things that grow are ſubject to diſſolu-
" tion.

" Then, being yet more anxious, he ſaid:

" The preſervers from grief, from enemies, from fear, the ſeat of af-
" fection and confidence is friendſhip, a little word of two ſyllables. By
" whom was this precious gem created?

" An union producing true affection, the delight of both eyes and
" heart, a precious vaſe, in which to depoſit both pleaſure and pain, is
" hard to be acquired; but ſuch friends, as in time of proſperity make a
" buſtle through deſire of gain, are every where to be found. Their
" ſincerity muſt be tried by the touchſtone of adverſity.

" Then the rat, with various emotions of anguiſh, thus addreſſed the
" crow and the fawn.

" As long as the hunter ſhall remain in the wood, an effort muſt be
" made to recover the tortoiſe.

" Both of them ſaid: Tell us quickly what muſt be done.

" Let the fawn, ſaid *Hiranyaca*, go near the pond, and, lying motion-
" leſs, make himſelf appear as if he was dead, while the crow, ſitting on
" him, pecks him a little with his beak; when the greedy hunter ſees
" this, he will certainly leave the tortoiſe, and go haſtily for the fleſh of
" the antelope; I, in the mean time, will gnaw the ſtring which binds
" our friend! The fawn and crow both went, and did immediately as
" they were directed. The hunter being fatigued had drank ſome
" water, and was ſitting under a tree, when he ſaw the antelope fall.
" Then taking a large knife he went with great joy towards him, while

" *Hiranyaca* gnawed in two the ſtring; upon which the tortoiſe repaired " with all poſſible ſpeed to the pool, and ſunk in the water. When the " antelope ſaw the hunter approach he roſe and ran away, while the " crow flew into the air. As ſoon as the rapacious hunter returned to " the tree, he miſſed the tortoiſe, and with vexation exclaimed: This is " the conſequence of having acted unadviſedly.

" He who leaves things certain, and purſues things uncertain, loſes " what he had obtained, and miſſes what he expects.

" The hunter then returned home, while the tortoiſe and his friends, " all free from danger, returned to their ſtations, and paſſed their lives " with pleaſure.

" Make friends, both ſtrong and weak, as you ſee how the tortoiſe " was releaſed from bondage by a rat."

The princes then ſaid, with delight: " The happy union of theſe " friends will contribute to our improvement!"

" Let this then be your great object, and more than this," ſaid *Viſhnuſarman.*

" As it written:

" Attach thyſelf to a virtuous friend, and bring down the goddeſs of " abundance on thy country. Let kings nouriſh and protect the world; " conſtantly fixed in the path of juſtice: let virtue be wedded to you, " O monarchs! that you may give happineſs to the hearts of the vir- " tuous; and may the GOD, who decorates his brow with a waning " moon, grant felicity to all mankind!"

THE END OF THE FIRST BOOK.

# BOOK THE SECOND.

## *Subridbheda, or the Breach of Friendſhip.*

THE princes then ſaid: " Great ſir, the acquiſition of friends has " been heard; it is our deſire now to hear a diſcourſe on the breach of " friendſhip."

" Hear then," ſaid *Viſhnuſarman*, " the book *Subridbheda*, of which this " is the firſt verſe.

" The great and encreaſed friendſhip of the lion and the bull, in the " foreſt, was broken by an artful and covetous ſhakàl."

" How was that?" ſaid the princes.

*Viſhnuſarman* anſwered: " In the country of *Dacſhin*, or South, is a " city named *Souvernavati*, where lived a very rich banker, named " *Verddhamana*; who, with all his wealth, ſeeing others very opulent, " ſtill reſolved to encreaſe his own riches.

" For:

" Whoſe greatneſs is not occaſioned by ſeeing others lower and lower " than himſelf? All men are poor who ſee others higher and higher " than them.

" He

" He who thinks himſelf well provided for by ſmall poſſeſſions, will " not, in my opinion, have them encreaſed by the Creator of the world.

" *Luchmi*, the goddeſs of proſperity, deſires not to dwell with a lazy " unemployed man.

" May women be unable to bring forth a ſon, who ſhall not exert " himſelf, who is diſcontented, weak, and giving pleaſure to his foes.

" Gain all you can, and what you gain, keep with care; what you " keep, encreaſe, and what you encreaſe, beſtow on good works.

" The man who neither gives in charity, nor enjoys his wealth, which " every day encreaſes, breathes, indeed, like the bellows of a ſmith; but " cannot be ſaid to live.

" He who augments not his ſubſtance, though he ſpends little, waſtes " away like a medicine applied to weak eyes. Riches not employed, " are of no uſe.

" Let a man, who remarks the ſpeedy waſte of eye-water, and the " quick encreaſe of a white ant's neſt, ſuffer no day to paſs unfruitful " in charity, ſtudy, and good works!

" By the fall of water-drops the pot is filled; ſuch is the encreaſe of " riches, of knowledge, and of virtue!

" Having thus meditated, the banker yoked his two bulls, named " *Sanjivaca* and *Nandaca*; and having laden a waggon with various ar- " ticles of trade, repaired towards *Caſhmir*.

" Since:

" Since :

" What burden is too great for thoſe who can bear it ? What is diſtance
" to thoſe who have important affairs ? What is reſidence in a foreign
" country to the learned ? Who is a foreigner to thoſe who ſpeak civilly ?

" As he was travelling on a mountain, called *Sudurga*, his bull, named
" *Sanjivaca*, fell and broke his knee ; which the merchant obſerving,
" thus ſaid to himſelf :

" Let a wiſe moraliſt tranſact his buſineſs in all parts of the world, his
" reward will be, that which is fixed in the mind of God !

" Farther :

" The man who poſſeſſes true learning, muſt act when he is ſent on
" buſineſs with diſpatch : knowledge certainly preſcribes diſpatch in the
" ſoul of man ; but fear, which is the ruin of all actions, muſt be laid
" aſide on all occaſions : by diſcarding fear, and diſcharging our duty,
" ſucceſs is obtained.

" So ſaying, he left *Sanjivaca*, and having yoked another bull, packed
" up his goods and proceeded. *Sanjivaca*, towards the end of the day,
" roſe up, as well as he could, by the help of his three legs.

" For :

" Of an animal plunged in the ocean, fallen from a mountain, or
" bitten by a ſnake, the allotted will of heaven preſerves the life.

" Some days having paſt, *Sanjivaca* was able to traverſe the foreſt,
" where

" where grazing and ſporting at pleaſure, he was delighted, grew plump
" and ſtrong, and lowed with vehemence.

" In the ſame foreſt a lion, named *Pingalica*, was enjoying the delight
" of dominion obtained by his own arm.

" As it is written:

" There is no waſhing in holy water; no homage paid by beaſts to
" a lion who gains power by his own ſtrength; his empire is from him-
" ſelf.

" One day the lion, diſtracted by thirſt, went near the *Yamunà* with
" intention to drink of its water, and there the lowing of the bull, a
" ſound before unheard by him, firſt ſtruck his ear, like the roaring of a
" thunder cloud; upon which he retired without taſting the water, and
" returned, intimidated, to his own den, ſtanding ſilent, and conſidering
" what it could be. In this poſture he was perceived by two ſhakàls,
" ſons of his miniſter, named *Caràtacà* and *Damànacà*; the ſecond of
" whom, obſerving it, thus addreſſed the former: Friend *Caràtacà*, for
" what reaſon did the lion, who was thirſty, ſtay ſo ſhort a time, that
" he could not taſte that clear water? My friend, anſwered *Caràtacà*, it
" is my opinion, that we have not attended to perform ſome ſervice;
" but why ſhould we ſtrive to gueſs what he wants, for we have both
" been long hated by the king, and yet great pain is endured by us.

" As it is ſaid:

" See what is done by ſervants, who ſeek wealth by their ſervice;
" their bodies are under the command of another, and their own is taken
" away by fools!

" Again:

" Again :

" While men, protected by others, bear the pain of cold, heat, and " wind, the learned and pious are happy in the enjoyment of bodily ease.

" Yet more :

" That life is good which is not sustained by another : If they who are " dependent on others be truly alive, who are dead ?

" Besides :

" Come, go, fall, stand up, speak, keep silence ; thus do the rich sport " with their wealth, which swallow up those who are caught by expect- " ation.

" For :

" The foolish, through desire of gain, make themselves like harlots, " polishing and improving themselves, and offering presents to other " men.

" Farther :

" Servants, that their master may not be in a passion, strictly obey his " very look, which, by its nature, is variable.

" And it is added :

" He salutes for the sake of gain ; for the sake of living he resigns " the privileges of life ; he is miserable for the sake of pleasure.

" Who,

" Who, if ſuch a one be called wiſe, deſerves the name of fool?

" Still farther:

" If he be ſilent, he is called a fool; if eloquent, a madman, or a " pratler; at hand, an artful fellow; at a diſtance, a bad attendant; if " patient, a coward; if he cannot endure bad treatment, an errant raſcal: " the duty of a ſervant is extremely hard, and not performable even by " ſaints!

" This, replied *Damànacà*, is not always to be ſuppoſed, for why " ſhould not the great be ſerved for the ſake of their favour? They who " are ſoon pleaſed, and gratify the wiſhes of their ſervants.

" Again:

" Whence ſhould men out of place have wealth, which makes others " give way to the fan grooms of their horſes? Whence ſhould they " procure white umbrellas with long ſticks, horſes, elephants, and a troop " of attendants?

" *Caràtacà* rejoined: Yet, what is our ſervice? we ought certainly to " leave it.

" Mark!

" He who deſires to perform what is not his buſineſs, falls dead to " the ground, like the monkey who took up the timber. How, ſaid *Da-* " *mànacà*, happened that?

" There is in *Magadhadeſa*, ſaid *Caràtacà*, near *Dhermaranya*, a writer " named *Subhada*, and intending to give an entertainment, a new aſſem-

" bly

" bly room was begun to be built; a carpenter having ſawed through " part of a beam it fell on the ground, and a wedge was fixt between the " two pieces of wood. In that place a herd of large monkeys, inhabi- " tants of the foreſt, came playing tricks; and one of them, againſt " whom the ſtaff of death was ſent, having taken the beam with both " his paws, ſat down upon it; when the two pieces of ſawed wood caught " him, and he was ſo cruſhed that he periſhed: therefore, I ſaid, He " who deſires to perform what is not his buſineſs, &c.

" Yet, ſaid *Damànacà*, a ſervant muſt indubitably perform the taſk " aſſigned by his maſter.

" And, ſaid *Caràtacà*, a maſter being abſolute in the whole extent of " his dominion, may appoint a chief counſellor; a ſervant, therefore, " ſhould never talk of buſineſs which does not belong to him. He who " talks of what is not his buſineſs, even through a regard for his maſter, " may be beaten, like the aſs, with clamorous reproof, and die of " pain!

" How, ſaid *Damànacà*, did that happen?

" In *Varanas*, replied *Caràtacà* (or *Baranaſi*, not *Benares*), lived a " waſherman, named *Carpurapata*; one night having amuſed himſelf " with his young wife, he fell faſt aſleep; when a thief entered his houſe " to ſteal his cloaths. In the court-yard an aſs was tied, and a dog ſat " by him.

" The aſs ſaid to the dog: This is your buſineſs; What means this? " Why doſt not thou bark loud, and wake our maſter? Why ſhouldſt " thou talk of my buſineſs? ſaid the dog; thou knoweſt the whole, and " as well as I have long guarded this man's houſe; for this reaſon, he

" has long, while he had no fear, ceafed to think of my food, and now " wholly neglects to give it: fuch is the neglect of mafters, when they " fee nothing alarming.

" Hear, thou blockhead, faid the afs, the canine race is by nature im- " pure, and not to be touched, and fee what they become by fervice; " for, what fort of a fervant, or what fort of a friend is he, who begs for " food while he is doing his duty?

" Hear too, faid the dog:

" What fort of a mafter is that, who does not honour his fervants " while they difcharge their duty?

" Since it is written:

" To protect fervants, to ferve mafters, and to difcharge moral duties, " there is no need of dragging by violence!

" The afs, in a paffion, faid: Thou art an old finner; but as to what " thou fayeft of deferting the bufinefs of my mafter, be it fo; and let " me take fuch meafures as will awaken him!

" Since:

" With the back a man fhould venerate the fun, with his breaft the " fire, his mafter with every circumftance, and thofe of other worlds " with fincerity!

" Thus having fpoken, he brayed aloud; upon which the wafherman, " awakened by the found, and enraged that his lazy flumber was inter- " rupted,

" rupted, beat the aſs violently with his waſhing ſtick. Therefore, I " ſay: He who talks, &c.

" The buſineſs appointed for us both by our lord, is the hunting for " game, and let us talk of what belongs to us; but of this incident there " is no occaſion to talk; we are both fed with a quantity of food, and " even a remnant is left. *Damànacà* anſwered, with anger: What, " doeſt thou ſerve the king for food only! This was abſurdly ſaid.

" For:

" To benefit friends, and puniſh enemies, a great man ſeeks the favour " of a prince; not merely to fill his belly!

" Yet more:

" Such a life many lead; and let ſuch a man live: What! does not " the crow fill his crop by means of his bill?

" See:

" With five pana's of ſhells any man may procure attendance; and " any man, by ſtronger reaſon, with a hundred thouſand! But a ſervant " who acts well, is not acquired by ten myriads.

" Service is extremely odious in the human ſpecies, who are all equal: " Can he who is not the chief in it, be numbered among living crea- " tures?

" Thus too it is ſaid:

" Between

" Between a horſe, an elephant, and iron utenſils; between wood, " ſtone, and cloth; between man, woman, and water, there is an extreme " diverſity; ſee alſo the difference between a maſter and a ſlave.

" The dog belonging to him who gives him a cake of boiled rice, " wags his tail, bends his legs, and falls on the ground, ſhewing his teeth " and his belly; while the princely elephant looks ſtedfaſtly, and with " an hundred ſoft words, is, at length, only prevailed on to take ſuch food " as he likes.

" Yet more:

" That courſe which men purſue for a ſhort time, but with laſting re- " nown, never ſeparated from learning, valour, and fame, this the wiſe " truly call living; not that of the crow, or raven, who live, indeed, long, " and devour their food!

" Again:

" What is the diſtinction between a mere brute, and that man-beaſt " who has no knowledge or thought of wrong, or right, whom the aſ- " ſemblies of the learned in heavenly wiſdom drive from their company, " and who ſeeks only the gratification of his appetite.

" Both of us now are without authority; what have we then to do " with this conſideration?

" How long a time, replied *Damànacà*, is a counſellor acquiring repu- " tation, or degradation?

" For:

" Not

" Not every perſon here below becomes great by his nature, or obe-
" dient, or wicked, or acquires the rank of ſpiritual guide, or his deputy ;
" a man's own efforts are what make him a man !

" Yet more :

" As a ſtone is raiſed with great labour up a mountain, but is thrown
" down in an inſtant ; thus are our virtues acquired with difficulty, and
" our vices with eaſe.

" What then doſt thou purpoſe ? ſaid *Caràtacà.*

" Of this *Pingalaca,* our maſter, ſaid *Damànacà,* I would know by
" what fear he was moved to return and lie quiet. What, ſaid *Caràtacà,*
" doſt thou know of it ? What, anſwered he, may not be known by it ?

" A meaning, well explained, is underſtood by a brute ; horſes and
" elephants, when driven, carry burdens ; but a ſkilful perſon under-
" ſtands what is not ſpoken ; a good underſtanding certainly reaps the
" fruit of knowing another's intention. I, therefore, by ſpeaking of fear
" in fit, or unfit diſcourſe, will make this lion my own.

" Since it is written :

" He is truly wiſe who knows a ſpeech adapted to the occaſion ; a
" friend naturally attached to him ; and reſentment proportioned to his
" ſtrength !

" My friend, ſaid *Caràtacà,* it has long been obſerved by me, that
" thou art very learned ; why then art thou unfit for ſervice ?

" Since it is ſaid :

" He

" He who enters the chamber of his lord without being ordered; who " talks much without being aſked; who conſiders himſelf as a favourite, " has a dull underſtanding.

" My good friend, ſaid *Damànacà*, why ſhould I be unfit for ſervice?

" Obſerve:

" What is there in its nature which is fair, or unfair? What is pleaſ- " ing to any one, that is beauty to him?

" Thus:

" Whatſoever is the nature of any man, by means of knowing that, " a wiſe perſon enters into his heart, and ſoon lays him under an obli- " gation.

" Yet more:

" He who ſays, Here am I, and order me in every thing; and he " who performs what is ordered, as well as he is able, attaches his maſter " to him.

" Further:

" He who diſobeys the commands of princes, who pays no attention " to Brahmans, who ſleeps with different women, is wounded and ſlain " without a weapon.

" Still farther:

" A miniſter, who is ſincere, learned, not covetous, continually at- " tending,

" tending, like a ſhadow, not refuſing any taſk impoſed, he dwells in " the palace of a prince.

" If thou goeſt, ſaid *Caràtacà*, at any unſeaſonable time, our maſter " will be diſpleaſed with thee.

" Be it ſo, ſaid the other, yet a ſervant ought certainly to preſent him- " ſelf.

" Since:

" To begin no work for fear of doing wrong, is the way of a bad " man: What man, my brother, would abandon food for fear of indi- " geſtion?

" Again:

" A prince favours a man who is neareſt to him, though void of learn- " ing, of rank, and of probity.

" To ſum up all:

" A king, a woman, and a creeping plant, alike twine round him who " ſtands by their ſide.

" Let us ſee, ſaid *Caràtacà*, what thou wilt ſay firſt, my friend, when " thou haſt gone thither.

" Firſt, ſaid *Damànacà*, I muſt know whether he is favourably, or un- " favourably, diſpoſed. What means are there, ſaid *Caràtacà*, of know- " ing this? Hear, he anſwered.

" By

" By ſeeing him ſmile at a diſtance; by the great regard ſhewn in " queſtions; by praiſing the abſent; by bringing agreeable events to re-" membrance.

" Again:

" Favourable diſcourſe to a ſervant; preſents that denote affection; " even in blaming faults, taking notice of virtues; theſe are the manners " of a kind maſter.

" It is alſo ſaid:

" By taking up the whole time of a ſervant; by encreaſing expecta-" tion; by denying reward; a ſenſible man knows this to be the conduct " of an ill-diſpoſed lord.

" When I have well conſidered all this, the lion will become docile to " my purpoſe; then will I ſpeak.

" Since:

" The wiſe exhibit, as clearly as if it were diſplayed before our eyes, " the doctrine belonging to the ſcience of ethicks. That danger ariſes " from pointing out evil, and ſucceſs from pointing out a remedy.

" Still, my good friend, ſaid *Caràtacà*, it is not proper for thee to " uſe unſeaſonable diſcourſe.

" Since:

" If *Vrihaſpati* himſelf were to ſpeak unſeaſonably, he would meet not " only with loſs of reputation for ſenſe, but with diſgrace.

" *Damànacà*

" *Damànacà* having conſidered this, ſaid: Fear not, friend, I will not " ſpeak an unſeaſonable word.

" Since:

" In imminent danger, in the purſuit of evil objects, in a ſeaſon un- " propitious for action, a ſervant who ſeeks the love of his maſter, muſt " ſpeak even without being aſked! If, therefore, I muſt not ſpeak on " ſuch a proper occaſion, my office of counſellor is reduced to nothing.

" Since:

" Applauſe is given by good men to him who ſhews munificence; and " that virtue ſhould be preſerved and augmented by him who poſſeſſes it. " Conſent, therefore, brother: I go, that I may proſper in my buſineſs.

" Happineſs attend thee, ſaid *Caràtacà*, and may what thou deſireſt be " attained!

" *Damànacà* then went towards the lion with a timid air; and when " *Pingalaca*, from a diſtance, ordered him, with kindneſs, to enter the " cave, he made a reſpectful bow with his whole body, and ſat down. " Son of my counſellor, ſaid the king, it is long ſince thou haſt appeared " before me. Sir, ſaid he, great princes have no need of a ſervant like " me, yet every ſervant, on a proper occaſion, muſt preſent himſelf before " his lord: for this reaſon I come.

" But:

" They, by whom the earth, abounding with ſweet ſcents, and lofty " elephants, and cut with an hundred weapons, caſt in fields of battle, is

 " continually

" continually delighted, when even they approach their monarch, their " words falter as if their great fear had cut them in pieces! Here cer- " tainly there is need of ſuch dread, for very good reaſon.

" As it is ſaid:

" Great lords have need of a little inſtrument to rub their teeth, and " to tickle their ears.

" Oh! what need muſt they have of a man who has ſpeech and hands?

" And if my lord thinks, that by my coming late I have loſt my un- " derſtanding; that is not the caſe.

" Since:

" A gem is worn on the feet, and glaſs is raiſed on the head: as it is, " ſo let it be; yet glaſs is glaſs, and a gem, a gem.

" Again:

" Loſs of ſenſe is not to be imagined in a firm-hearted man, impro- " perly repulſed: fire may fall down, but the flame deſcends not with it " for any conſiderable time.

" Sir, a maſter muſt make diſtinctions; when a prince, without diſ- " tinguiſhing good ſervants from bad, behaves equally to all, then is the " ſatisfaction of thoſe who worked with content reduced to nothing.

" Three ſorts of men, O king! the higheſt, the middle, and the loweſt, " let their maſter exerciſe alike in three ſorts of employment.

" Thus

" Thus too:

" Men employ ſervants, and wear ornaments in a proper place; a " jewel for the head, is not fixed on the feet: thus is the matter under- " ſtood.

" Still more:

" If a gem, aptly made for an ear-ring of gold, be ſet in braſs, it neither " moves with a pleaſing ſound, nor makes a beautiful appearance, but " brings reproach on the jeweller.

" Obſerve:

" This man is wiſe, or well affected; here are both qualities: this is a " fool: a prince, thus knowing how to conſider his ſervants, abounds " with good ones.

" Yet:

" A horſe; a weapon; a book; a lute *; ſpeech; a man; and a wo- " man; all theſe, according to the diſtinction of the perſons in whoſe " hands they fall, are uſeleſs, or valuable.

" Beſides:

" What uſe is there in a favourite without valour? What in a hero " without good conduct? Me, who am both dear to thee, and able to " ſerve thee, O king! thou ſhouldeſt not deſpiſe.

* Vina.

" Since:

" Since :

" From the prince's disregard, his family of attendance become un-
" intelligent ; then, on this account, not one man of sense remains near
" him : when a prince is deserted by the wise, his morals are not vir-
" tuous ; and when his morals are corrupted, the whole nation is en-
" feebled, and receive detriment.

" Yet more :

" All countries constantly respect those who are respected by the
" prince ; but he who is disgraced by the king, is disgraced by all.

" Farther still :

" Apt words must be taken by the wise even from a child ; when the
" light of the sun disappears, what is not the lustre of a torch ? We are
" true servants, favoured by great monarchs, and our conduct is not
" altered.

" My good friend, said *Pingalaca*, why dost thou say this ? Thou art
" the son of my chief minister, and yet, from some bad report, hast not
" come to me for so long a time ; now, since thou art come, speak as thy
" mind prompts thee. Sir, said *Damànacà*, I ask one question :- When
" thou soughtest the river, why didst thou return without drinking
" water, like an affrighted person ?

" The lion answered : It is aptly said, my good friend ; who of my
" people is there to whom my secret should be told ? Where is there a
" place to speak with confidence ?

" Never-

" Neverthelefs :

" I tell thee ; hear : This foreft is inhabited by large beafts, and fhould " therefore be forfaken by us. Was not a loud noife heard by thee ? " The animal muft be of enormous force, if his ftrength be equal to the " found of his voice.

" Sir, faid *Damànacà*, this is certainly a great caufe of dread, for I " have heard the noife ; but what fort of a counfellor would he be, who " fhould immediately advife a defertion of the country, or a commence- " ment of hoftilities ?

Befides :

" It is the duty, fir, of fervants, to find a refource ; for a man knows " the pre-eminence and fuperior goodnefs of a friend, a woman, a fet of " fervants, his own underftanding and ftrength, by trying them with the " touchftone of danger.

" My friend, faid the lion, a great fear made me indifpofed. If it " were not fo, faid *Damànacà* to himfelf, how wouldeft thou, leaving " the delight of reigning, converfe with me. Then he faid aloud : Sir, " as long as I am alive, fo long there is no ground of fear ; but *Caràtacà*, " and your other fervants, may alfo be depended upon, fince a multitude " of men could hardly be found more ferviceable in avoiding danger. " The king faid : Go thyfelf, and bring *Caràtacà* with thee. *Damànacà* " did fo ; and both of them were honoured by the king with all forts " of precious gifts ; and having determined on the means of avoiding " an alarm, they departed. *Caràtacà*, going along, faid to *Damànacà*, " How this danger can be avoided, or whether it can at all, is unknown " to me ; yet, how elfe can the great promifed favour of the king be at- " tained ?

" tained? For without having done a good act, let no one take a present, " especially from a king.

" Observe:

" A prince, whose favour is prosperity, in whose valour is conquest, " and in whose anger is death, is all glorious.

" A king, whether a man or a child, must not be treated with " contempt: in him certainly a great divinity appears in human " shape.

" My friend, said *Damànacà*, laughing, take the protection of silence, " and be still.

" The cause of this alarm was even before known to me; it is the " lowing of a bull, and bulls are food for us; I might say, of a lion " also.

" If it be so, said *Caràtacà*, why is our lord broken down with " fear?

" We must not speak in this manner, said *Damànacà*; if we quiet his " fear, how are we to acquire this singular kindness?

" Yet more:

" A master must never be allowed to think the assistance of his ser- " vants unnecessary. A servant who allows a king to perceive this, " would be like *Dedtucarna*. How, said *Caràtacà*, was that?

" There

" There is, said *Damànacà*, in the mountain called *Arbuda*, a lion, " named *Mahavicarma*, or great in valour; when he was asleep in the " hollow of that mountain a rat gnawed the ends of his hair, which the " lion having perceived, was enraged, but could not catch the rat, who " returned to his hole; he therefore said within himself, What must be " done? Since it is so, be it so: it has been heard by me, if an enemy " be little, let him go, he is not an object for valour; to kill him, let " a combatant equal to himself be appointed.

" Having settled this, he went, at night, to the village, brought back, " with great care, a cat named White-ear, to whom he gave meat, and " kept with great attention in his den. The rat, through fear of the cat, " never came out; and the lion, from that time, without having his hair " gnawed, slept comfortably: whenever he heard the rat cry, he indulged " the cat with excellent meats, and other gifts. One day, when the rat, " perished with hunger, came out of his hole, he was caught, and killed " by White-ear: some time after, when the lion had not for a long time " heard the voice of the rat, his indulgence for the cat was at an end, " and he gave him no more food, so that White-ear became feeble, " languid, and like a dead animal: for this reason I say, A master must " not be independent of his servants.

" The two shakàls then went to *Sanjìvaca*, and *Caràtacà* seated him- " self in state under a tree, while *Damànacà* went to the bull, and said: " O bull! art thou placed here by king *Pingalaca* to guard the forest? " The general requires your attendance, come speedily, or depart from " this wood, otherwise thou wilt gather unpleasant fruit. The bull, ig- " norant how the country was governed, went with fear, and saluted " *Caràtacà*.

" Thus the wise man says:

" Wisdom

" Wiſdom is greater than ſtrength ; by not poſſeſſing it, the condition " of the elephant is ſuch, that even the drum ſounds, proclaiming that " the elephant is beaten by his driver.

" General, ſaid *Sanjivaca*, how muſt I act? Adviſe. If thou haſt " any deſire, anſwered *Caràtacà*, to remain here in the foreſt, go and " bow before the lotus of our monarch's foot. The bull replied : Tell " me, then, there is no danger in doing ſo, and I go. Your apprehenſion " is vain, ſaid *Caràtacà*.

" For :

" The violent guſt tears not from the roots the ſoft graſs which lies " low, and bends beneath it ; while it ſhatters lofty trees : great ſtrength " is exerted on the great.

" Then, both ſhakàls, making *Sanjivaca* ſtand at a diſtance, went to- " wards the lion, and ſaluting him, were treated by him with regard, " and ſat down. Have you ſeen him ? ſaid the king. We have, ſir, " anſwered *Damànacà* ; he is gentle, but, as our lord imagined, exceſſively " ſtrong, and he now deſires to ſee the foot of our ſovereign ; therefore, " adorn thyſelf, and ſit in ſtate.

" Since :

" The bank is worn away by the river-water ; and a ſecret not kept, " is diſperſed ; affection is overcome by treachery, and a timid mind by " bold words !

" Thy ſtrength, formerly exerted, is not fit for this purpoſe.

" For :

" For :

" A noiſe only, when the cauſe of it is unknown, muſt not be dreaded; " yet by diſcovering the cauſe of an alarming noiſe, a woman of evil " fame acquired reputation. How, ſaid the lion, was that?

" In the middle of *Sriparvata* mountain, ſaid *Damànacà*, is a town " called *Brahmapura*, and on one ſide of its ſummit (according to the " popular ſtory) lived *Guatacarna*, or Bell-ear, a *Rac'ſhaſa* (or cruel " demon). One day a thief, eſcaping from a houſe in which he had " ſtolen a bell, was killed, and eaten by a tiger on the top of this moun- " tain; and the bell, which had dropped from his hand, was taken up by " ſome monkeys, who from time to time made it ſound.

" The people of the town having diſcovered that a man had been " killed, and hearing continually the noiſe of the bell, ſaid, that *Guata-* " *carna* had in his rage eaten him, and they all fled from the town. " It came into the head of a female pander, that the bell was only " ſounded by monkeys; and ſhe went to the prince, ſaying, If you will " advance me a large ſum of money I will make the demon quiet. The " king gave her a treaſure, and ſhe, having paid adoration to a certain " quarter of the globe, made idols, and formed circles, acquired great " reputation for ſanctity; ſhe then took ſuch fruits as monkeys love, " and having entered the foreſt ſcattered them about, which the monkeys " perceiving, quitted the bell, and eagerly devoured the fruits. The " woman took up the bell, and went with it to the palace of the king, " where all the people did her reverence. Hence I ſay: A noiſe, &c.

" *Damànacà* then introduced the bull to the lion, and for ſome time he " lived there in amity with the other favourites. One day a brother of " the king's, named *Stabdacarna*, or Bent-ears, came on a viſit, and the " monarch having deſired his gueſt to ſit down for a time, afterwards

" proposed going out to kill some deer for their food. Sir, said *Sanjivaca*, " where is the flesh of all the deer that were killed this morning ?

" The king answered : *Caràtacà* and *Damànacà* know best. Is there " any, or is there none ? said the bull. There is none left, said the " lion, laughing. Why, said *Sanjivaca*, could they two have eaten so " much flesh ? They have eaten and given away liberally, and wasted " the rest : this is their daily practice. Why, said the bull, is this done " without the permission of their lord ? It is so, said the lion, what of " that ? Sir, said *Sanjivaca*, this is a great fault.

" For it is written :

" Let not a servant do any act without the knowledge of his master, " except it be to deliver a prince from death !

" Again :

" A king's minister is like a flagon, he receives much, and lets out " little ; if he says *another time*, he is a fool ; if, what is a cowry, he must " be poor.

" Yet more :

" His minister is ever the highest, who encreases his store with twenty " croire : wise men have called the king's treasure his life, and his vital " spirit, no life.

" Besides :

" A man of worth acquires service from worthy men ; a poor man is " deserted even by his own wife, much more by strangers !

" This

" This too is a great fault in princes:

" He who ſpends much, not obſerving it, and acquires wealth by
" iniquity, while he keeps the treaſure in a remote place, is called the
" treaſury's bane!

" For:

" He who perceives not the treaſure that is quickly amaſſed, and con-
" ſumes it at his pleaſure, moſt certainly would reduce it to nothing, if
" he were as rich as *Vaiſrava!* (Cuvera) Plutos.



" Then *Stabdacarna* ſpoke: Hear, brother:

" Theſe two ſhakàls have long been protected by thee: they were ap-
" pointed for the affairs of peace and war, and ſtationed for that buſineſs,
" not for the purpoſe of amaſſing wealth. On the ſubject of miniſters,
" I will now repeat whatever I have heard.

" 1. A ſervant, a ſoldier, a kinſman, are not fit to be at the head of
" every employment; a prieſt, even with torture, gives not money to
" any one.

" 2. A ſoldier employed in pecuniary matters, inſtantly ſhows his
" ſabre; and a kinſman, on that account, ſwallows up all thy wealth.

" 3. A ſervant, though he hate his maſter, acts the part of a blameleſs
" man; if he has once done good, and continues in his place, he thinks
" not of his offences.

" 4. He who points out the good he has done, ſnatches every merit
" away.

" 5. While

" 5. While a minifter, O king! is playing with fand, he, in fact, go-
" verns; from his familiarity, no doubt, averfion is conftantly produced.

" 6. When a minifter, wicked in heart, is employed, he no doubt
" caufes all forts of evils.

" 7. A fervant, however culpable, is yet void of fear, if he be long
" employed. Let every minifter, how rich foever, be himfelf without
" power. This is the advice of great men: wealth overcomes the mind.

" 8. To receive favour, and to alienate the property of the prince;
" to obtain friendfhip, and then to defert him; to act without wifdom
" in his affairs; and to eat his bread; thefe are the faults of a minifter.

" 9. To think of acquiring the employment of a fellow-fervant; to
" be always watching the prince, that his wealth may be fecurely diffi-
" pated; this is wicked conduct.

" 10. Bad fervants do not, without torture, vomit up the precious
" things of their lord, which they have fwallowed; in fhort, they are
" like obftinate tumours, that muft be preffed before they will properly
" difcharge.

" 11. By wringing a bad fervant, the dominion of kings may yield
" fomething, as a cloth that is wafhed, yields plenty of water when it is
" wrung.

" When *Pingalaca* heard thefe maxims, he faid: Be it fo; whenever
" thefe two fervants fhall ceafe on all occafions to obey my word. This,
" faid his brother, is always a foolifh rule, for a king muft not pardon
" even his fons, who difobey his orders: What elfe is the difference be-
" tween a living and a painted king?

" And

"And it is added:

"Let a king who has arbitrary power, preſerve his people, like a "father, from robbers, from his miniſters, from enemies, and from the "royal family.

"Brother, let all my advice be followed, I have had my food to-day; "let this *Sanjivaca* be employed to provide his own food of graſs. This "being done, they deſerted all other connections, and their time paſſed "in cordial friendſhip; but the other ſervants, ſeeing their allotment of "food diminiſhed, *Caràtacà* and *Damànacà*, talked privately with each "other. My friend, ſaid *Damànacà*, what is to be done? This is our "own fault! And vexation is abſurd, on account of evils which our-"ſelves have occaſioned.

"As it is ſaid:

"I, having touched *Swarnarecha*, the bad woman having tied up her-"ſelf, and the good man trying to take the jewel, were all three miſera-"ble by our own fault. How, ſaid *Caràtacà*, was that?

"In the city called *Canchanapura* (Golden Town), ſaid *Damànacà*, "was a king named *Viravicrama*; when he was in his court of juſtice, a "certain barber was taken, by his order, to the place of execution; at that "time a devout man, named *Candarpacata*, accompanied by a man of "worth, cried out: This man muſt not be put to death; and ſeizing the "ſkirts of his cloaths, he drew the criminal away. The king's officers "ſaid: Why ſhould he not be killed? He anſwered: Hear; and then "repeated this verſe. I, having touched *Swarnarecha*, &c. &c. The "officers aſked how that happened?

"I am, anſwered he, *Candarpacata*, king of the iſland called *Sin-*"*haladwipa*;

" *baladwipa*; one day ſtanding in a pleaſure grove, I heard a man aſſert, " that in the middle of the ſea of milk was a damſel, who, on the four- " teenth day of the moon, appeared under the Tree of Ages on a couch of " a ſplendid yellowiſh hue, bedecked like the Goddeſs of Abundance, with " all kinds of ornaments, and playing on the Vina. I therefore embarked " in a ſhip, and went to the place mentioned; where, after a time, I ſaw " the ſea-nymph riſing, half out of the water; and, allured by her ex- " quiſite beauty, I leaped behind her. Then, having in an inſtant " reached a golden city, and a palace of gold, I ſaw her reclining on a " couch, careſſed by a number of fairies, and when ſhe perceived me " from a diſtance, ſhe ſent a damſel, who addreſſed me courteouſly; on " my enquiry the damſel said: That is the nymph *Ritramayna*, or " adorned with gems, the daughter of *Candarpacali*, queen of the fairies. " After this I was married to her, according to the ceremony of the *Gan-* " *darva's* (by exchanging necklaces), and continued a long time delighted " with her. One day ſhe ſaid to me in private: My beloved huſband, " all things in this palace may be freely enjoyed by thee, but beware of " touching, even for a moment, that picture of the fairy *Swarnarecha* " (or decorated with gold). Nevertheleſs, ſome time after, my curioſity " growing to a height, I was induced to touch the boſom of the painted " fairy; when the picture, becoming animated, ſtruck me with her foot, " like a lotus flower, and I fell down inſtantly on the earth; ſince which " time I have been a miſerable wanderer, travelling over the world, and " at length arrived in this city. Laſt night I ſlept in the houſe of a " herdſman, where I ſaw this adventure: The herdſman returning at " night from the field where his cattle grazed, ſurprized his wife in con- " ſultation with a barber's wife, a woman of bad fame; when, having " beaten her, and tied her to a poſt, he fell aſleep. At midnight the " wife of this barber went with deep ſighs to her female friend, and ſaid: " Thy noble lover, conſumed by the fire of thy abſence, is now like a " dead man.

" For:

" For :

" As in the night darknefs is kept at a diftance, by the lord of fhades, " (the moon), thus love by feeing, and being feen, delights the heart of " the young.

" Let me tie myfelf, and ftay here while you go and confole thy " lover with thy difcourfe. This was done : when the hufband waking, " faid : Why, thou wicked wretch, doft not thou now go to thy favourite ? " The woman making no anfwer, he faid in anger : Doft thou not give " an anfwer to my words ? And faying this, he went in a violent rage, " and having flit her nofe, returned to his bed, and fell afleep. His wife " then came home, and fpoke thus to the procurefs : My friend, what is " the matter ? Look, anfwered fhe, my face will tell you ! The herdf- " man's wife then bound herfelf, and the woman went home. Early in " the morning the barber ordered his wife to bring him a bundle of " razors, and fhe gave only one ; on which he faid : Do you bring me " but one razor ? and in a paffion threw it away. When fhe, counter- " feiting pain, faid : You have cut my nofe, without my having committed " any fault ; and immediately ran to demand juftice. In the mean time " the herdfman's wife was crying out : O cruel man, what a crime haft " thou committed ! Why haft thou mutilated me, who have ever been " thy conftant wife ; as the eight regions of the world know ?

" Befides :

" The fun and moon, wind and fire, heaven and earth, and water, to- " gether with both day and night. All thefe with certainty know the " condition of man. If I am faithful, then by the favour of the genii of " thofe eight regions, and of the god *Camadeva*, my mangled nofe will " grow again, and my face will become bright as the pure moon of the " cold feafon. Look at my face : the herdfman took a candle, when

" feeing

" ſeeing her noſe reſtored, fell at her feet, and was highly delighted in " his heart, untied her, and ſeating her on the middle of the bed, ſaid: " He who poſſeſſes ſuch a wife is chief among men!

" Hear now the ſtory of the good man: Having ſpent twelve years in " travelling, came to this city, having brought a number of jewels from " the neighbourhood of the *Malaya* mountains. Here he ſlept in the " houſe of an harlot, who kept on the gateway a carved image of a " devil, on whoſe head was placed a beautiful gem. The devotee, " through a culpable deſire of poſſeſſing this gem, roſe in the night, and " in order to take it, ſtretched out his hand; in that inſtant, a ſpring " being moved, both his arms were caught by the image, and he was " pulled to the ground; when he ſet up a cry of diſtreſs. The woman " roſe, and ſpoke thus: My ſon, thou art come from the *Malaya* moun- " tains: therefore give me all thy jewels, or thou wilt never be looſened " by this malignant devil. Then were taken away all the jewels well " collected by me. All this being heard, the king's officers did juſtice " according to the merit of each cauſe. Now I ſay: I, having touched " *Swernarecha*, and ſo forth.

" This fault, therefore, was committed by ourſelves; and in this caſe, " vexation would be abſurd. Then having been a ſhort time ſilent, As " I formed, continued he, the friendſhip of theſe two, I muſt break it.

" For:

" Good counſellors ſhew what is falſe, as well as what is true; as men " know an object to be painted, whether they are on a level with it, or " below, or above it:

" Beſides:

" The

" The man whoſe underſtanding is not diminiſhed, when buſineſs " ariſes, wards off difficulties like the herdſman's wife, and her two " lovers. How, aſked *Caràtacà*, was that? *Damànacà* anſwered, In the " town of *Dwaravati*, there is a certain herdſman's wife who is a har- " lot, and ſhe is connected, at the ſame time, with an officer of juſtice, " and his ſon:

" As it is ſaid:

" The fire is never ſatisfied with wood, nor the ocean with rivers, " death with mankind, nor bright-eyed women with lovers.

" Once, as this woman was diverting herſelf with the ſon of the officer, " the officer himſelf came to viſit her; ſhe haſtily put the ſon into a " cloſet, and then ſat ſporting in the ſame manner with the father. Soon " after, the herdſman himſelf came: ſeeing whom, ſhe ſaid, Now, Sir, " what muſt be done? take up your ſtaff, and go away quickly, ſeeming " to be greatly enraged. This being done, the herdſman aſked his wife, " on what account the officer of juſtice had come: He was angry, ſaid " ſhe, with his ſon, I know not why; and he, being purſued, came into " our houſe, and I have hid him in that cloſet; his father not finding " him, is gone away in a rage; ſaying this, ſhe brought out the young " man, and ſhewed him to her huſband.

" Thus it is ſaid:

" Women have the appetite of two, the underſtanding of four, the " cunning of ſix, and the deſire of eight.

" Therefore I ſaid, When buſineſs ariſes, &c.

" It is ſo, ſaid *Caràtacà*, but the friendſhip of theſe two is great by

" nature: How canſt thou diſſolve their intimacy? Some expedient, an-
" ſwered he, muſt now be contrived:

" And it is ſaid:

" What cannot be atchieved by force, that, may be performed by ſtra-
" tagem, as the black ſerpent was ſlain by the golden thread of the female
" crow.

" How, ſaid *Caràtacà*, did that happen? On the top of a certain tree,
" ſaid *Damànacà*, lived a male and female crow, whoſe young ones were
" devoured by a ſerpent living in the hollow of it. When the female
" was again pregnant—Huſband, ſaid ſhe, this tree muſt be quitted by
" reaſon of this ſerpent; or not one of our young ones will live:

" Since:

" A bad wife, a deceitful friend, a ſervant giving ſaucy anſwers, and
" dwelling in a houſe infeſted by ſerpents; theſe without doubt are
" cauſes of death.

" My beloved, ſaid the male, we muſt not continue in this fear:
" from time to time I have borne with this horrid crime; but now he
" muſt be puniſhed. How, ſaid the female, canſt thou be a puniſher of
" ſo powerful an offender? This apprehenſion, anſwered he, is vain:

" Hear:

" He who has knowledge has force! What ſtrength has a fool? See
" how a lion intoxicated was killed by a ſtag!

" How, ſaid ſhe, did that happen? He anſwered: In the mountain,
" named

"named *Mandara*, dwells a lion called *Darganta*, who hunts the other "beasts, and kills great numbers of them for his food. All the beasts "being assembled, he was thus addressed by them: Why are so many beasts "killed by thee? We will give you one every day in our turns for your "food: so many ought not to be slain by thee. Be it so, said the lion, "and all of them, one by one, for his food, daily gave a beast.

"On a certain day, when the lot fell upon an old stag, he thus thought "within himself:

"For the sake of our own souls, and in hope of life, homage is paid: "but if I must meet this fate, what need have I to respect the lion! He "moved, therefore, slowly, step by step; and the lion, tormented by hunger, "said to him, angrily, Why dost thou come so late? It is not my fault, said "he; for in the way I was forcibly seized by another lion; 'till I swore to "the necessity of my coming to you; and now I approach thee with sup-"plication. The lion having heard this passionately, said, Where is that "audacious animal? The stag led him near a deep well, and said, Let my "lord behold. Then the lion seeing his own image in the water, proudly "roared, and throwing himself down with rage, perished in the well: "thence, I say, Who has knowledge, &c.

"I have listened attentively, said the female crow; therefore, now de-"clare what is to be done. The king's son, said the crow, goes con-"stantly to bathe in the adjacent pool; do thou take up his necklace of "gold, which he will pull off, and lay on the bank, and drop it into the "hole of the serpent, who will, in consequence, be destroyed. It hap-"pened, accordingly, that the prince went to bathe, and the female crow "did as she was directed; so that the prince's attendants going after the "necklace, saw the black serpent, and killed him: Hence I said, What "cannot be atchieved by force may be performed by stratagem.

"If

" If it be ſo, ſaid *Caratàcà*, go, and may fortunate events be the com-
" panions of thy way.

" *Damànacà* then approaching the lion, and paying homage to him,
" ſaid: Having formed a very unpleaſant opinion, my lord, I preſume
" thus to addreſs you.

" For:

" In danger from going out of the way, and when the time of action
" is nearly loſt, then a benevolent friend, though unaſked, gives good
" counſel.

" Again:

" A king poſſeſſes fortune, but does not poſſeſs the means of acting
" wiſely: by the ruin of a king his miniſter is criminated. See, there-
" fore, what is the buſineſs of a counſellor. It is better to loſe life by
" decapitation, than to deſert a prince, and criminally ſeek to gain his
" dominion.

" What, ſaid the lion, mildly, doſt thou wiſh to ſay? *Damànacà* an-
" ſwered: This *Sanjivaca* is not a fit miniſter for thee, ſince, in my pre-
" ſence, he treated thy three powers (wealth, ſtrength, and wiſdom)
" with contempt, and he even aſpires to thy throne. *Pingalaca*, hearing
" this, remained ſilent with fear and aſtoniſhment. My lord, added *Da-*
" *mànacà*, thou haſt forſaken all thy counſellors, and choſen this animal
" to tranſact all thy affairs; the blame therefore falls heavy on thyſelf.

" Since:

" Fortune ſtands firm, having fixed herſelf on two feet, an exalted
" prince,

" prince, and a good minifter ; but as fhe is a female by nature, fhe can-
" not bear the weight on her fhoulders, and foon leaves one of her two
" fupports!

" Again :

" When a king appoints one minifter to act in his kingdom, pride,
" from the error of his mind, feizes him ; the defire of arbitrary power
" advances in a high degree in his breaft, and through that defire he
" proceeds to the deftruction of the prince.

" Befides :

" It is better to pull up by the roots a loofe tooth, an envenomed fer-
" vant, and a wicked counfellor.

" So :

" A king who makes Fortune his inftructrefs, is as miferable when he
" falls into calamity, as a blind man without a guide.

" It is alfo added :

" A vizir, although not a man of probity, is always at leaft rich : this
" is the rule of fome men.

" Riches are gained differently by reafon.

" This bull acts in all affairs by his own arbitrary pleafure ; let the
" king, therefore, be a witnefs of this truth.

" This

" This I know :

" Among men, he is not a man who does not enjoy fortune.

" The lion ſaid, with uneaſineſs : My good friend, if it be ſo, yet I " have a great love for the bull.

" Obſerve :

" He who is beloved, and commits faults, is nevertheleſs beloved ; " but that body is cloathed with many crimes, for which there is no re- " gard.

" Beſides :

" He who is dear, though he do unpleaſant things, continues dear.

" Though an excellent houſe be burnt, yet who doth not venerate fire ?

" But, ſir, ſaid *Damànacà*, that is a grievous fault.

" Since :

" That man whom the king looks upon with attention, whether he be " a ſon, a miniſter, or a ſtranger, is honoured.

" Hear, ſir :

" The *end* of pleaſant, or unpleaſant advice, is full of delight ; but " wherever a ſpeaker, and a hearer of it is, there dangers abide :

" Again :

" Men

" Men who ſpeak only, O king! are eaſily found in the world; but " he who both ſpeaks and hears what is pleaſant and unpleaſant, is hard " to be found!

" Thou haſt forſaken thy former adviſers, and appointed him their " ſucceſſor, and thy vice-gerent; which was improperly done; for when " old ſervants offend, let not a prince haſtily appoint others; no one is " more adverſe than a new one, who will ruin the realm.

" How wonderful, ſaid the lion, is this! He has given no cauſe for " ſuch dread, but was brought and raiſed by me: how ſhould he be ad- " verſe to me?

" Hear, my lord, ſaid *Damànacà:*

" A bad man, though raiſed to honour, always returns to his natural " courſe; as a dog's tail, though warmed by the fire, and rubbed with " oil, retains its form.

" Beſides:

" How ſhould promotion and honour occaſion the friendſhip of wicked " men! Although poiſonous trees were watered with nectar, yet they " would bear dangerous fruit.

" Therefore I ſay:

" A man who deſires not the ruin of his maſter, will ſpeak what " friendſhip requires, though unaſked: that is the duty of the virtuous; " other conduct is a violation of duty.

" Thus

" Thus, too, it is written:

" He is a friend, who delivers thee from adverſity.

" That is a good action, which is well intended.

" She is a wife, who is an inſeparable companion.

" He is wiſe, who honours the good.

" He is a friend, whom favours have not purchaſed.

" He is a man, who is not ſubdued by his ſenſes.

" If my lord, therefore, being appriſed of the bull's conduct, ſhall not " ceaſe from employing him, no fault remains in his ſervants.

" Yet it is true, that a luxurious prince makes no account of good " works, or his own advantage; he acts at his own diſcretion, and moves " like a drunken elephant; till, having conſumed his honour, and fallen " into many miſeries, he caſts the blame on his ſervants, and knows not " the fault to be his own.

" *Pingalaca* ſaid, within himſelf: Let not a prince puniſh men from " the words of others; let him examine into facts himſelf, and then im- " priſon, or diſmiſs with reſpect.

" Thus it is ſaid:

" Without diſtinguiſhing virtues, or vices, let neither favour be granted, " or ſeverity uſed; as a hand placed with pride on the neſt of a ſerpent " occaſions deſtruction.

" Then

" Then, ſpeaking aloud, he ſaid : Let *Sanjivaca* be brought before me.
" *Damànacà* anſwered, trembling : No, ſir, not ſo ; by that ſtep my ad-
" vice will be broken ; it is an improper meaſure.

" Since the wiſe ſay :

" The ſeed of good advice muſt be cheriſhed by princes with extreme
" care ; it muſt not be broken ever ſo little, if it be, it will not grow.

" Again :

" Advice is like a woman, ever in motion ; all parts of the body are
" guarded, if it cannot remain long fixed, there is fear of defeat from
" enemies.

" Beſides, if the bull, ſeeing his fault, ſhould amend it, no reconcilia-
" tion muſt take place ; that would be extremely abſurd.

" Since :

" If a man has once offended, and the prince, through affection, de-
" ſires to be reconciled to him, he meets his fate like a female crab, when
" ſhe is pregnant.

" Again :

" A man, compleatly wicked, employed as a counſellor, will certainly
" be the perpetrator of all evils : *Sacune* and *Sacatara* remain two ex-
" amples in the world of this truth.

" Be it known to thee, ſaid the lion, after all, what he is able to effect

" againſt us. Sir, ſaid *Damànacà*, how can there be a certain knowledge
" of ſtrength, without knowing the force of union? See how the ſea
" was reduced by a mere cock! How, ſaid the lion, did that happen?
" Near a certain ſea, ſaid *Damànacà*, lived a cock and a hen; when the
" hen was near laying, ſhe thus addreſſed her lord: Let a proper place
" be procured to depoſit my eggs in. O! ſaid he, there is nothing to
" fear in this place. It is often covered, ſaid ſhe, with the waves.
" What! ſaid he, my good friend, am not I ſuperior to the ſea? Ob-
" ſerve, I will contend with this ocean, and remain in my ſtation. The
" hen ſmiled, and ſaid: There is a great diſparity between the ocean and
" thee.

" Yet:

" He who knows how to ſubdue his grief, whether he can relieve it
" or not, is never tormented by anguiſh.

" Then, by the perſuaſion of her lord, ſhe laid her eggs; which the
" ſea, for the ſake of trying the cock's power, waſhed away. Upon this,
" the hen, afflicted by the loſs of her young, ſaid to her huſband: A
" dreadful evil, ſir, has befallen me; the ſea has waſhed away my eggs.
" My beloved, ſaid he, fear not, thou wilt at length behold me poſſeſſ-
" ed of power. So ſaying, he aſſembled multitudes of the feathered
" race; and with them forming a flock, went to *Garuda*, the king of
" birds, to whom he related the whole adventure; adding: Does my
" king only fall at his feet there! No, by the weakneſs of the protector,
" the protected certainly become weak. *Garuda*, having heard this ad-
" dreſs, gave information to his lord, *Vaſudeva*, the cauſe of creation,
" preſervation, and deſtruction. After which, the ocean raiſing the
" mandate of the God on his head, in token of obedience, gave back the
" eggs.

" Thence,

" Thence, I ſay, how can there be a certain knowledge of ſtrength, " without knowing the force of union ?

" How, ſaid the king, is he to be proved of an hoſtile nature to me? " When he ſhall come before thee, ſaid *Damànacà*, goring with the point " of his horns, and raiſing his tail, as if he was fearing of harm, then my " lord will know. Saying this, *Damànacà* went near *Sanjivaca*, ſtealing " along, little by little, put on the appearance of amazement. When the " bull ſaw him, he ſaid with courteſy: My good friend, is it well with " thee? How, anſwered *Damànacà*, can it be well with ſervants?

" For:

" The wealth of thoſe who ſerve princes is diſperſed by another; and " their minds always diſcompoſed: even their life is inſecure.

" Again:

" Who, having acquired wealth is not arrogant? Whoſe danger, when " he is attached to a king, can be reduced to nothing? Whoſe mind in " the world is not tormented by women? Or who is really beloved by " princes? Who ruſhes not into the open arms of time? What ſuppliant " attains reverence? Or what man, having fallen into the ſnares of the " wicked, can regain proſperity?

" My friend, ſaid the bull, what means all this? *Damànacà* anſwered, " What do I ſay, unfortunate as I am!

" Obſerve:

" When a man fallen into the ſea has graſped a ſupport, and finds it " a ſerpent; he cannot leave it, he cannot hold it:

" Thus

" Thus am I diſtreſſed at preſent; for, on one ſide, the king's confi-
" dence periſhes; on the other, my friend: What can I do? Whither can
" I go, fallen as I am, into a ſea of miſery? So ſpeaking, and heaving a
" deep ſigh, he ſat down. Then *Sanjivaca* ſpake: Yet, my friend, let
" that which thy mind has conceived, be declared at large: *Damànacà*
" counterfeiting ſorrow, ſpoke in a low voice: Although the ſecret of a
" king is not to be diſcloſed, yet, through confidence in me, thou cameſt
" hither, and here haſt remained. Therefore, I, who am a ſuppliant to
" ſtrangers, muſt neceſſarily ſpeak through affection to thee: Hear then:
" The mind of this prince is alienated from thee; he ſaid, ſecretly, When I
" have killed *Sanjivaca*, I ſhall ſatisfy all my family with food! Upon this,
" the bull was exceſſively afflicted, and the ſhakàl again ſpake: Thy grief
" is vain; at a ſeaſonable time ſome great act muſt be atchieved! *Sanji-*
" *vaca* having thought anxiouſly for a moment, anſwered, This is kindly
" ſaid, no doubt! And then he thought within himſelf, how the truth of
" this buſineſs might be aſcertained:

" For:

" Many a bad man receives luſtre from the goodneſs of his protector,
" like the black powder rubbed on the eye of a beautiful woman.

" Still farther:

" A prince attended with great care, inſures not happineſs: What won-
" der is there in that? He, indeed, is an extraordinary perſon, who, being
" diligently ſerved, becomes an enemy.

" Therefore, the duty of a ſervant is endleſs.

" He who for ſome cauſe is angry, becomes mild when that cauſe is
" removed;

" removed; but he whoſe mind is rancorous without cauſe, how can " ſuch a man have any reaſon to be pleaſed?

" Then he ſaid aloud: My friend, what offence have I given to the " prince? Yet princes commit injuries without cauſe! Even ſo, ſaid " *Damànacà.*

" Yet hear:

" Though good is done by the learned or the handſome, yet a little " hatred is occaſioned through envy; and though they injure you to your " face, yet they meet with friendſhip from the miſapprehenſion of royal " minds, who are ſubſervient to more than one nature.

" The office of an attendant on them is extremely difficult, and not " to be performed even by ſaints.

" Again:

" A hundred good works are loſt upon the wicked; a hundred wiſe " words are loſt upon fools; a hundred good precepts are loſt upon the " obſtinate; a hundred ſciences upon thoſe who never reflect.

" Yet more:

" In the ſandal-tree are ſerpents; in the waters, lotus-flowers, but " crocodiles alſo; even virtues are marred by the vicious; in all enjoy- " ments there is ſomething which impairs our happineſs."

" This lord of ours, ſaid *Damànacà,* is known to me for having honey " in his words, and poiſon in his boſom.

" Since:

" Since:

" He, who ſtretches out his hand from a diſtance, whoſe eyes over-
" flow with tears, who reſpectfully ſits on half the ſeat, who embraces
" cloſely all that approach him, who ſhews veneration with gentle words
" and queſtions, who bears poiſon internally, and carries ſweetneſs in his
" exterior, who is good only by deluſion, what wonderful acting is this?
" He muſt have been inſtructed by a wicked preceptor.

" Yet obſerve:

" A ſhip is uſed in paſſing the dangerous ocean; a lamp, uſed in
" darkneſs; a fan, in a perfect calm; and a hook, in humbling the pride
" of an elephant. Thus, in this world, nothing exiſts for which a re-
" medy has not been framed by the Creator; but, in my opinion, the
" Creator himſelf would fail in his efforts to correct the bad thoughts of
" the wicked.

" Miſerable, O miſerable me! ſaid *Sanjivaca*; here am I, who feed on
" vegetables only, to be mangled by this lion! Then again he ſaid within
" himſelf: Yes, the lion, alienated from me, through ſome wicked calum-
" niator, has reſolved on a breach of friendſhip. Hence it is, that a king
" muſt ever be dreaded; for the mind of a prince is ſometimes eſtranged
" by an evil counſellor; and how ſhould the wriſt of a marble ſtatue be
" repaired, when it is once broken?

" Again:

" The thunderbolt, and the wrath of a king, are two objects of great
" terror; but the former only falls on one place, the ſecond ſpreads ruin
" on all ſides.

" Therefore,

"Therefore, by battle muſt protection from death be ſought; to "ſupplicate him would now be abſurd.

"Since:

"Either by dying bravely, I attain bliſs in heaven; or by ſlaying my "foe, felicity on earth; both theſe heroick acts are, no doubt, hard to be "atchieved.

"This, too, is the time for battle:

"Since:

"When, by declining a battle, death is inevitable; and in battle, life "is doubtful; then, ſay the wiſe, is the only moment for entering the "field.

"Beſides:

"When a wiſe man, even without fighting, perceives not the leaſt "affection ſhewn him, then he reſolves to die together with his enemy.

"Yet more:

"By victory, a hero acquires abundance; by death, the daughter of a "god for his conſort: all bodies periſh in an inſtant, what then ſhould "cauſe fear of death in battle?

"Then he ſaid, aloud, to *Damànacà*: O! my friend, inform me how "I ſhall know that the lion intends to deſtroy me? When he ſhall look "at thee, ſaid his falſe friend, with his ears erect, with his tail waving,

"couching

" couching low, with his feet and his mouth wide open; then ſhew thy " own ſtrength.

" For:

" An inglorious warrior, from whom no repulſe is feared, is trampled " on by the multitude, without apprehenſion; ſee how they ſet their " feet on a heap of aſhes.

" But let all this be done very ſecretly by thee; otherwiſe, neither thou " nor I ſhall remain alive.

" *Damànacà*, having ſaid this, went to *Caràtacà*, who aſked him " what he had accompliſhed. A complete rupture, anſwered he, be- " tween them. No doubt, ſaid *Caràtacà*, for who is a friend of the " wicked? Who that is enraged, is not implored? Who is not ſatisfied " with abundance? And in what evil art thou not eminently ſkilful?

" Again:

" A man, though happy and wiſe, is made wicked by the arts of the " wicked.

" What does not the company of the wicked effect?

" It is like fire, which conſumes what it receives in its boſom.

" Then, *Damànacà* going to the lion, ſaid: The traitor comes, in- " tending to kill thee; let the king ſtand on his defence; and continued, " as before, to irritate the lion. *Sanjivaca* then approaching, and ſeeing " the lion with the marks of altered friendſhip, deſcribed to him, exerted

" his

" his utmoſt reſolution, a terrible conflict enſued between them; but " at laſt the bull was ſlain. *Pingalaca*, fatigued with the combat, ſat " down in ſorrow, and exclaimed: O, what an atrocious act have I " done!

" Since:

" The kingdom is enjoyed by ſtrangers, and the king is a veſſel filled " with iniquity; a king who abandons juſtice, is like a lion who ſlays " an elephant.

" Again:

" If one region of the world, and a virtuous wiſe miniſter, be de- " ſtroyed; by the death of a virtuous miniſter, a king periſhes; by the " loſs of one region of the world, another may be gained; but not " another ſervant.

" My lord, ſaid *Damànacà*, what is this ſudden change of mind, that " thou art afflicted by having killed an enemy?

" It is written:

" If a father, or a brother, or a ſon, or a friend, intend deſtruction to " the king, and aſpire to dominion, the king muſt deſtroy them.

" Again:

" A prince acquainted with the principle of ſound juſtice, muſt not be " too merciful: a man over mild, cannot hold riches in his graſp.

" Still farther :

" Mercy to a friend, or a foe, is the ornament of religious men ; but " lenity to all offenders, is a crime in a monarch.

" Besides :

" When a man aims at dominion, and proudly seeks the place of " his lord, there can be no expiation for his offence, but loss of " life.

" Farther :

" A king over-merciful, a priest over-greedy, and a woman disobe- " dient to her husband, an ill-disposed companion, an unruly servant, a " negligent counsellor, and he who acknowledges not a benefit received ; " these seven are to be dismissed.

" Thus may it be known, that a king's duties are two-fold ; he must " be true and false, harsh and courteous, seek wealth, and liberally spend " it ; always giving to his friends, and always taking their property ; in " every respect resembling an harlot. O, sir ! since thou hast destroyed " a foe, why art thou sad ? Be thou ever victorious, O great monarch ! " And may the felicity of all worlds attend thee ! Saying this, he took " his station.

" You have heard," said *Vishnusarman*, " how friends are disunited ; " what will you now hear : speak."

" We have heard it," said the princes, " with great delight."

" Let

" Let us conclude then," ſaid the ſage, " with an applicable ſtanza:

" May a breach of friendſhip be in the manſion of the enemies ; and " may every wicked adviſer, detected in time, be dragged continually to " perdition ; but may every man of virtue enjoy all proſperity ; and " may every boy delight in pleaſing and uſeful inſtruction !"

THE END OF THE SECOND BOOK.

# BOOK THE THIRD.

## *On War.*

AT a proper time for resuming the conversation, the princes thus addressed *Vishnusarman*: "Having heard how friendship is broken, let us, "who are sons of a king, be delighted, great sir, with an account of war."

"I will discourse," said the sage, "on what you desire to know: hear, "therefore, the narrative of a war, the first stanza of which is this:

"The geese and peacocks warred with equal power of strength; but "the geese were slain, having confided in crows, who were in the mansion of their enemies."

"How," said the princes, "did that happen?"

"There is," answered *Vishnusarman*, "in the island of *Carpura* a "pool, called *Pedmaceli*, where a royal goose, named *Hiranyagarbha*, "lived; and having assembled all the water-birds, was anointed king "over them, by a solemn bathing.

"Since:

"If there be not a king endued with every virtue where there be a "people, the nation will be like a ship without a rudder, tossed about in "the ocean.

"Again:

"Again:

"A monarch preſerves the people, and they aggrandize the monarch; "and by that aggrandizement he preſerves them; but if there be no one "called king, who can be aggrandized?

"One day the imperial bird was reclining at eaſe, on a long and "ſhining bed of lotus-flowers, encircled by his miniſters; when a *baca*, "or water-fowl, named Long-bill, coming from a diſtant country, made "his ſalutation, and ſat down in the circle: O *Dirghanruc'he!* ſaid the "king, thou comeſt late from the fartheſt limits of the earth; give an "account of thyſelf. It is a long account, ſaid he, and I am deſirous of "relating it; but, in fact, I am come with ſpeed; attend to my narration, "it is of importance to you.

"In *Jambudwipa* is a mountain, called *Vindhya*, where a peacock, "named *Chitraverna*, rules over nations of birds; while his attendants "were feeding, they ſaw me alſo ſeeking food in the middle of a parched "wood, and one of them ſaid to me: Who art thou? Whence doſt "thou come? I am a ſubject, anſwered I, of a mighty prince, named "*Hiranyagarbha*, but powerful as *Chacravartia*, king of the geeſe; for "my amuſement I am come to viſit the extremity of regions. The "bird having then aſked: Which of the two countries had the better "climate, and the better ſovereign? O! exclaimed I, there is a great "difference; for the iſle of *Carpura* is another paradiſe, and the king of "geeſe is a ſecond Jove: What are you doing in this dry ſoil? Come, "and travel to my country. This diſcourſe irritated the peacocks.

"As it is written:

"A ſerpent, by drinking milk only, encreaſes his venom; thus a fool "being admoniſhed, is provoked, but not benefited.

"Again:

" Again :

" Let a ſenſible man be admoniſhed, but not a fool ; as the birds, who " gave advice to the monkeys, were driven from their neſts.

" How happened that ? ſaid the king.

" On the banks of the *Nermada*, ſaid the water-fowl, at the foot of a " mountain, ſtands a large ſamula-tree, in the middle of which ſome " birds had built their neſts, and lived, with pleaſure, for years. Once, " the ſky, reſembling an azure mantle, became obſcured with thick " clouds, and a heavy ſhower began to fall ; when theſe birds ſaw a herd " of monkeys, running under the tree, trembling with the pain of cold, " they were moved with compaſſion, and ſaid : Halo ! monkeys, we have " raiſed neſts, made of herbs brought in our bills ; why do you join your " hands and feet together with ſuch affliction ? The monkeys hearing " this, were diſpleaſed, and ſaid among themſelves : Oh ! theſe birds " who ſit happily in the middle of their neſts, ſecured from the wind, " are deriding our expoſed ſituation : Be it ſo—the ſhower muſt ceaſe. " When the rain at laſt was over, the monkeys climbed up the trees, " and broke all the neſts on the branches, ſo that the birds' eggs " were thrown to the ground. Hence, I ſaid : Admoniſh a man of " ſenſe, &c.

" What happened afterwards ? ſaid the monarch. The birds, anſwered " Long-bill, ſaid, angrily, who made your gooſe a king ? I anſwered, " with equal rage, Who conferred royalty on your peacock ? Hearing " this, they all fell upon me, intending to kill me : I ſhowed my utmoſt " prowefs :

" For :

" Sometimes

" Sometimes lenity is the grace of a man; but before victory is
" gained, violence becomes him.

" The king ſmiled, and ſaid:

" He who knows not the ſtrength and weakneſs of himſelf and others,
" muſt be routed by his enemies.

" Again:

" The aſs, who had been fed on good corn; and ignorantly braying
" in the hide of a tiger, was ſlain for his impertinence. How happened
" that? ſaid the birds.

" There is, anſwered the king, in *Haſtanapur*, a fuller, named *Vitaſa*,
" whoſe aſs, weakened by carrying exceſſive burdens, was like an animal
" deſirous of death. The maſter, therefore, carried him in a tiger's hide,
" and left him in a wood, in a field of corn. The owners of the field,
" taking him at a diſtance for a tiger, fled; but one of them, covering
" himſelf with a piece of cloth of an aſs's colour, ſtooped down to bend
" his bow; and the aſs perceiving him, took him for a female of his own
" race, ſo that exulting in his renewed vigour, he began braying, and
" running towards the object of his deſire; but the keeper of the corn-
" field knowing, by his voice, that he was only an aſs, killed him with
" eaſe. Thence I ſay: The aſs, &c.

" What then? ſaid the king. The birds, anſwered Long-bill, ex-
" claimed, O treaſon! O abominable *baca!* how durſt thou calumniate
" our ſovereign! No mercy muſt be expected from us. With theſe words
" they all pecked me with their beaks, adding with rage: Oh, thou fool!
" what property has thy unwarlike gander in this kingdom? A weak
" man cannot even keep his money in his hands: How ſhould this
" coward

" coward keep his realm? Or rather, what realm can he have? And " thou! a frog born in a well! go, and inform thy protector of this " attack.

" Hear, thou idiot:

" A great tree muſt be honoured which has both fruit and ſhade; if, " by heaven's will it has no fruit on it, yet, what can prevent its ſhade?

" Again:

" Let no wiſe man ſerve a low maſter; but let him ſerve a man of " dignity.

" Even milk in the hand of a tavern keeper is called an intoxicating " liquor.

" Beſides:

" A great man becomes little, and his virtue is diminiſhed by a " wicked perſon, like the image of an elephant in a mirror.

" It is added:

" By uſing the great name of a powerful king, proſperity is attained; " as the fawn found ſecurity by naming the moon.

" How, ſaid I, happened that?

" In the foreſt of *Dandaca*, ſaid one of the birds, a herd of elephants, " being diſtreſſed by a ſcarcity of rain in winter, thus addreſſed their " king: O, Sir, what remedy has our diſtreſs! Yonder is a pool uſed

" by

" by little quadrupeds, who are bending their necks to drink it; but we, " parched with thirſt, whither ſhall we go? What can we do? The king " of the elephants hearing this, went to a little diſtance, and diſcovered " a pond of clear water, on the borders of which were ſome little ante- " lopes, who were trodden, from time to time, by the feet of the ele- " phants. One of them, named *Silamu'che*, thus thought within him- " ſelf: If this mighty elephant bring his herd hither every day to " quench their thirſt, our whole race will be deſtroyed! An old antelope, " named *Vijaya*, gueſſing the cauſe of his melancholy, ſaid: Be not ſor- " rowful; I will provide a remedy for this evil. With this promiſe, " he departed, and conſidered how he ſhould approach the elephant near " enough to addreſs him without danger:

" For:

" By the touch, an elephant deſtroys; by the teeth, a ſerpent; even " by giving food, a king; and by ſmiles, a treacherous man.

" I will, therefore, ſaid he, climb up yon mountain, and thence diſ- " courſe with him. Having done as he had reſolved, he thus began: " O ſovereign of elephants, I come to thee, by the command of that great " monarch the Moon. Who art thou? ſaid the elephant; and what is " thy buſineſs? Hear, ſaid *Vijaya*; I am an ambaſſador: Though wea- " pons are raiſed, yet an ambaſſador ſpeaks: nay, more; ambaſſadors, " though they declare the plain truth, are not ſurely to be ſlain by you. " I therefore ſpeak, by order of his lunar majeſty. In driving away the " antelopes, who are appointed keepers of the pool ſacred to *Chandra*, " thou haſt acted improperly: we antelopes are its guardians: hence " alſo the God is named *Saganca*, or fawn-ſpotted. When the pretended " ambaſſador had ſaid this, the elephant ſaid, with great fear: This has " been done by me through ignorance; we will not again come hither. " Come then, ſaid *Vijaya*; and having ſaluted the god who dwells here,

" and trembles with rage, appeaſe him. The elephant went, and as it " was night, the antelope ſhewed him the reflection of the moon quivering in the water, and commanded him to make proſtration. Great " Sir, ſaid the elephant, my offence was through ignorance; therefore, " be moved to forgiveneſs: ſaying this, and making profound ſalutation, " he went his way. Therefore, I ſaid: Uſing a great name, &c.

" So, anſwered I, our monarch has great ſtrength and great power. The " birds then dragged, and ſtruck me, ſaying: Horrible treaſon! Doſt " thou live in our country, and traduce our ſovereign? After theſe words, " they carried me before their king *Chitraverna*; who looked at me; " while they, after due ſalutation, thus addreſſed him: Let our lord hear: " This evil-minded water-fowl, though living in our land, condemns thy " throne, our monarch. Who is he? ſaid the prince; and whence comes " he? They anſwered: He is a ſubject of *Hiranyagarbha*, and comes from " the iſle of *Carpúrá*. I was then aſked by the prime-miniſter, a vulture, who was the vizir at my court. A large water-bird, named *Servajnya*, ſaid I. He is well employed, ſaid the vulture, becauſe he was " born in that country:

" Since:

" A king ſhould, by all means, chuſe a miniſter who was born in his " realm, who follows the profeſſion of his anceſtors, who is perfect in " religious and moral duties, void of arrogance, has read the body of " laws, firmly principled, eſteemed wiſe, and the author of prudent " counſels.

" Then a parrot ſaid:

" The iſle of *Carpúrá*, Sir, lies in *Jambudwipa*; and your majeſty has " there a juſt right of dominion! True, ſaid the peacock:

" For:

" For:

" A proud king, a child, and a man who ſeeks immenſe wealth, " graſp at what is unattainable:

" What right can they have in it? If, ſaid I, dominion were obtained " by words only, then might all *Jambudwipa* be ſubject to my king. " How, ſaid the peacock, will he maintain his right? By war, anſwered " I. Go, then, ſaid he, ſmiling, and make preparation for it. Send thy " own ambaſſador, ſaid I. Who, aſked the king, will go on this " embaſſy?

" For:

" An ambaſſador ſhould be thus qualified:

" *Faithful, honeſt, pure, fortunate, mild, laborious, patient, a Brahmen, " knowing the hearts of others, and extremely ſagacious:*

" Again:

" Noble, true, eloquent, proſperous, affable, exact in delivering his " meſſage, with a good memory:

" An ambaſſador ſhould have theſe ſeven qualities. There are many " ſuch ambaſſadors; but a *Brahmen* muſt be appointed:

" For:

" Let a prince conciliate the Gods to himſelf, and not long immo-" derately for wealth; even by the company of *Siva*, the black hue of " the venom is not to be removed.

" The

" The parrot, therefore, muſt go. Having thus ſpoken, he ſaid to the " parrot: Go thou with him, and declare our pleaſure. As the king " commands, be it done, ſaid the parrot; but with that miſchievous *baca* " I cannot travel.

" Thus it is written:

" A bad companion makes a bad condition; the fruit is certain; as " the ten-mouthed giant carried *Seta* away; and as the ocean was bound " in chains.

" Further:

" We muſt never ſtand, we muſt never go, with a wicked perſon! " By ſtanding with a crow, the gooſe was killed; and the vartace, by " moving.

" How was that? ſaid the king.

" In the road to *Ujjayani*, near the border of it, is a large pippel-tree, " where a wild gander and a crow had lived a long time. Under this " tree, a traveller, fatigued by the ſummer heat, ſlept in the ſhade, with " his bow lying by him; and whilſt he ſlept, the ſhade, for a ſhort time, " left his face; and the wild gooſe on the tree, ſeeing his face enlight- " ened with ſunbeams, was moved with pity, and extending his wings " over, ſhadowed him. The traveller, in deep ſleep, opened his mouth " wide, and the crow, letting his dung fall into it, flew away. When " he awoke, and found his mouth defiled, he looked up, and perceiving " the wild gooſe, ſhot him. Thence I ſay: We muſt never ſtand, we " muſt never walk, &c.

" Now

" Now I will tell you what happened to the vartace:

" Hear :

" On a certain day, all the birds made a feſtival in honour of *Garuda.* " On the ſea ſhore, where they were walking, a crow and a vartace flew " together ; a ſhepherd, attending the feaſt, carried on his head a pot of " curds, which the crow, from time to time, pecked at ; upon this, he ſet " the pot on the ground, and raiſing his head, ſaw both birds, and pur- " ſued them ; but the crow, while he ſtopped to breathe, flew off, and " the ſmall bird who moved ſlowly was killed by him. Therefore, I re- " peat : We muſt never ſtand, we muſt never move, &c.

" I then ſpoke thus : Brother parrot, why doſt thou ſpeak ſo unkindly " of me ? Thou art, in reſpect of me, as the feet of my king. Be it ſo, " anſwered he :

" Neverthelefs :

" The ſoft words of the deceitful make me fearful of miſchief ; like the " ſmell of flowers out of ſeaſon.

" And thy wickedneſs in talking has been fully known to me ; for " thy ſpeeches have, before this, been the cauſe of a war between two " princes.

" Though a crime be committed even in preſence of a fool, he re- " joices, like the chariot-maker, who had his wife and her lover over his " head.

" How was that ? ſaid I. He anſwered :

" In

" In *Srinagarna* lived a carpenter, named *Mandamati*, or little-ſenſe, " who knowing his wife to be unchaſte, but not having with his own " eye ſeen her with her lover, told her one day, he was going to another " town, and took his leave; yet, without going far, he returned, and con- " cealing himſelf in his houſe, lay under the bed. The adulterer, in full " confidence that the huſband was abſent, was ſent for in the evening, " and ſat ſporting with her on the bed; when ſhe touching ſomething " with her foot, and concluding that it was her huſband, began to lament. " Her lover aſked, what was the reaſon of this. She anſwered: He that " is the lord of my life is abſent; and this town, though full of inhabit- " ants, appears to me like a deſert. Why, ſaid he, ſhould this carpenter " be an object of ſuch affection? he who calls thee a harlot! Cruel man! " ſaid ſhe, what doſt thou ſay? Though ſharp things be ſpoken, and " though a wife be ſeen with a look of anger; yet, when her huſband is " appeaſed, ſhe returns to her duty.

" Again:

" A huſband is the chief ornament of a wife, though ſhe have no " other ornament; but though adorned, yet, without him, ſhe has no " ornament.

" Thou, an adulterer, with whom the levity of my mind cauſed me to " ſin, art like a tambula-flower, worn a little while, and ſoon thrown " aſide: but my huſband, by his ſupreme dominion, has power to give " or ſell me to the gods or the *Brahmens*. What need is there of many " words; in his life I live, and in his death I muſt die, as I certainly " will.

" For:

" As many hairs as are in the human body, multiplied by a croire, " and

" and half a croire, ſo many years will ſhe live in heaven, who dies with " her huſband.

" Again:

" As a charmer draws a ſerpent from his hole, thus a good wife taking " her huſband from a place of torture, enjoys happineſs with him.

" Yet more:

" When a faithful wife hears her huſband is dead in a diſtant country, " ſhe abandons life, and accompanies him.

" Hear now the fruit of ſuch virtue:

" If he be bound in hell with the ſtrongeſt chains, yet ſhe takes him " by the hand, and leads him to heaven by the force of her piety!

" The carpenter hearing all this, thought within himſelf: I am a " wonderful man, to poſſeſs ſuch a wife! a wife who ſpeaks of me ſo " affectionately, whoſe love is innate. Saying this, he could not reſtrain " himſelf, but raiſed on his head the couch, with his wife, and her gal- " lant. Thence, I ſay: Though a crime, &c.

" After this, having ſaluted the king as if he had adminiſtered juſtice, " I was diſmiſſed. Now, Sir, the parrot is coming after me; knowing all " this, thou wilt act as is expedient. Sir, ſaid *Chacravaca*, ſmiling, this " *Dirghamuc'he*, having travelled to a foreign country, has performed the " king's buſineſs to the beſt of his power; but this is a fault in his " nature:

" For;

" Give

" Give a hundred pieces, rather than go to war. This is the rule in " the ſacred code:—To war without neceſſity, is the part of a fool!

" After ſuch an affront, ſaid the king, war ſeems unavoidable. Sir, " ſaid the miniſter, I will ſpeak in private without theſe hearers.

" For:

" As words form an echo, ſo the eye, and the motions of the body, " are comprehended by the ſagacious: let prudent men, therefore, " give counſel in ſecret.

" Beſides:

" By winks, by the walk, by action of ſpeech, by the motion of the " eye, and the lip, a wiſe man diſcovers the mind.

" When he had ſaid this, the king and his vizir remained, while the " reſt departed, each a different way.

" This I know, Sir, ſaid the miniſter, that this buſineſs of ſending " an ambaſſador, has been effected by the baca.

" For:

" A ſick man is an advantage to phyſicians; a meſſenger to the meſ- " ſenger's lord; a fool to the learned; a king's ſubject to a warrior.

" Let this be the cauſe, ſaid the king; but now ſay what muſt be " done? Sir, ſaid *Chacravaca*, let an ambaſſador be ſent: then we " ſhall know the whole affair, and the enemies ſtrength or weakneſs.

" Thus,

" Thus, indeed, it is written :

" Let an ambaſſador be the king's eye, in ſurveying his own and " every other region ; and in diſcerning what is practicable, and what " is impracticable :—He who has no ſuch eye is blind !

" Let him take a ſecond perſon, a confidential aſſiſtant ; and when " any ſecret buſineſs is concerted, let him remain himſelf, and ſend back " his aſſiſtant.

" Thus it is written :

" In the place of a foreign king, let a wiſe man converſe with ambaſ- " ſadors, who know the divine books, are devout, and of a ſacred " character.

" A confidential miniſter ſhould be one who travels by land and " water. Let ſome other (rice-bird) be ſent, but not this baca ; let " him remain in your palace : but let all this be kept ſecret ; for good " counſel is betrayed by ſix ears. This alſo is the caſe of a ſecret ; let " the king, therefore, conſult only with himſelf and another.

" Hear :

" By revealing a ſecret, the faults of a prince cannot be corrected :— " this the moraliſts know.

" He ſaid, eagerly, I have an excellent ambaſſador. Then, ſaid the " miniſter, thou haſt obtained victory.

" While they were ſpeaking, a chamberlain entered and ſaid : A " parrot, from *Jambudwipa*, is arrived at the palace gate. The king " looked

" looked at *Chacravaca*, who ſaid: Let an apartment be prepared " for him, and let him repair to it; after that he ſhall be preſented. " The chamberlain ſaid: Be it as the king commands: and after that " went with the parrot to his ſtation.

" War, ſaid the king, is now ſettled. Yet, Sir, ſaid the miniſter, it " muſt not take place. For, what is that treaſurer, or what is that coun- " ſellor, who adviſes his prince to make war without due conſideration?

" It is written:

" Let a wiſe king ſtrive for victory if he be attacked; but let him " not make war. Since, if two kings fight, both cannot be victors.

" And:

" Every man is a hero, who has not been in battle: and who, that " has not ſeen the ſtrength of another, is not arrogant?

" Farther:

" A great ſtone is not raiſed, by men, without labour: but if a man " can attain great ſucceſs with little efforts, the fruits of his virtue is " great.

" Neverthele ſs, when war is determined on, it muſt be vigorouſly " conducted:

" For:

" As corn produces its fruit, among men, in due ſeaſon; thus, good " conduct produces fruit, O king! after a long time, and not on a ſudden.

" Yet

" Yet more :

" A great king ſhould fear his enemies at a diſtance : but when near, " act with valour. In the midſt of danger, it is a dreadful crime to be " inactive.

" Again :

" The deſtroyer of all ſucceſſes, is ill-timed apprehenſion of danger.

" He then added : The king *Chitraverna* is exceedingly ſtrong. " That we ſhould engage with a ſtrong foe, is not adviſeable : it would " be like a man aſſailing an elephant on foot.

" Beſides :

" He is a fool, who, not having attained a proper time, engages his " enemy. A conteſt with the ſtrong, would be like attempting to fly " with the wings of an inſect.

" Yet more :

" Let a warrior keep his arms reſerved, as a tortoiſe contracts his " limbs ; then, when he has an opening, let him riſe up like an en- " raged ſerpent.

" Hear, O king !

" Againſt a great prince, a ſmall one may perform much in due ſeaſon, " if he know ſtratagems : as the inundation of a ſmall river can tear up " the roots of trees like graſs.

" In

" In this manner let the parrot, having confided in us, be kept, until " a neceſſary fortification can be prepared :

" For :

" One bowman ſtanding on the centre wall, may fight an hundred, or " even an hundred thouſand ; a caſtle, therefore, is neceſſary.

" It is added :

" A prince ſtationed in his enemy's country without a fortreſs, unable " to repel his foe, neceſſarily falls, like a man out of a ſhip.

" Again :

" A fortreſs muſt be built with large battlements, and lofty walls, ſup- " plied with veſſels, implements, proviſions, and water, with a hill, a " river, a dry plain, and a wood.

" Yet more :

" Of great extent ; difficult of acceſs ; ſufficiency of water, and grain ; " with ſtore of wood ; a fit place for ingreſs, and egreſs ; theſe are the " ſeven excellencies of a caſtle.

" Who, ſaid the king, can be employed in building it ?

" Whoever, anſwered the miniſter, is eminently ſkilful in the buſineſs, " let him be employed ; in ſuch buſineſs, whoever is inexperienced in it " is a dunce, though he may know all the ſaſtras : let the ſarás, there- " fore, be ordered to attend.

" The

" The order being iſſued, and the ſarás attending, the king thus ad-
" dreſſed him : O ſarás ! thou muſt build a fortreſs. The ſarás, having
" paid his homage, ſpoke thus : A fortreſs, O king ! has long been pro-
" vided, namely, a large pool ; but an iſland in the middle of it ſhould be
" ſupplied with a quantity of grain ; ſince, of all ſtores, great monarch !
" a ſtore of grain is moſt uſeful : a bright gem taken into the mouth
" will not preſerve life.

" Beſides :

" Of all taſtes, the taſte of ſalt is moſt excellent ; let ſalt be uſed, with-
" out which the beſt diſh would be unſavoury.

" Go, ſpeedily, ſaid the king, and make all ready.

" While the king was ſpeaking the wardour entered, and, after ſaluta-
" tion, ſaid : The ſovereign of the crows, O king ! named *Meghaverna*,
" is arrived from *Sinhaladwipa*, and ſolicits the honour of ſeeing the
" feet of our prince ! The crow, ſaid the king, is a wiſe bird, and has
" ſeen much of the world ; let him be graciouſly received. It is even ſo,
" ſaid *Chacravaca* ; but, O king ! the crow is a land-bird, and is con-
" ſidered as rejected by our race, which differs widely from him : how
" can he be received ?

" It is thus written :

" A fool who leaves his own race, and delights in another, is deſtroyed
" by ſtrangers, like the blue ſhakàl.

" How, ſaid the king, did that happen ?

" There is, ſaid the miniſter, in the city of *Ujjayani* a ſhakàl, who
" going

" going one night, for his pleaſure, beyond the limits of the town, fell " into a pot of indigo; and, unable to riſe out of it, lay in it, as if he " were dead. In the morning the owner of the indigo pulled him out, " and threw him out of the room; when he, concealing himſelf, ran " away to the foreſt. Perceiving that he was of a dark blue colour, he " thus thought within himſelf: I am now of a divine colour, the colour " of *Criſhna!* What greatneſs, therefore, may I not attain? Having ac- " cordingly ſummoned the reſt of the ſhakàls, he ſaid to them: The " deity of this wood has himſelf anointed me ſovereign of it, with the " juice of celeſtial herbs; ſee my holy colour: to-day, therefore, I muſt " begin the diſcharge of my duty, and by my command juſtice ſhall be " adminiſtered in the foreſt.

" The beaſts, perceiving his diſtinguiſhing colour, fell proſtrate, and " paid homage, ſaying: As the king commands! and then was ſupreme " dominion conferred on him by all the animals of his race. Soon after, " when he had alſo aſſembled a herd of lions, tigers, and other beaſts, " deceived by his appearance, he deſpiſed his ſpecies, and diſmiſſed all the " ſhakàls, who were much afflicted with their diſgrace; but an old ſhakàl " aroſe among them, and ſaid: Be not grieved, I promiſe you relief; we, " who know him, are driven from him; but as he ſeeks to ruin us, I " muſt contrive to deſtroy him. The lions, tigers, and the reſt, imagine, " from his blue hide, that he is a monarch; but be it our care that he " may be detected; thus may we effect our purpoſe; one evening, when " you are all collected before him, ſet up a loud cry; when he hears it, " his nature will prompt him to join in it:

" For:

" Whatever is natural to any one, can hardly be diſcontinued: ſhould " a dog be made a king, he will ſtill gnaw leather.

" The

" The tigers, &c. knowing his voice, will deſtroy him. This being " done, the conſequence followed.

" As it is written :

" Our natural enemy knows our former crimes, our heart, and our " ſtrength ; ſo that he penetrates and deſtroys, as fire burns a dry tree. " Thence, I ſay : A fool who leaves his own flock, &c.

" Though it be ſo, ſaid the king, yet conſider, ſince he comes from a " great diſtance, what reaſon can there be for rejecting him ?

" O king, ſaid *Chacravaca*, an ambaſſador is diſpatched, and a fortreſs " built ; let the parrot ſee this, and depart, ſince *Chanacya*, by employing " a ſagacious meſſenger, deſtroyed *Nanda* ; let a king, therefore, encircled " with warriors, receive an ambaſſador who comes from a diſtance.

" Upon this a council was aſſembled, and the parrot introduced, to- " gether with the crow, named *Meghaverna*.

" The parrot, raiſing his head a little when he entered the hall of " audience, ſaid, aloud : Hear, O *Hyranyagarbha!* the proſperous *Chitra-* " *verna*, king of kings ! thus commands thee : If thou value thy life, or " fortune, come ſpeedily, and pay homage at our feet ; if not, be aſſured " of expulſion from thy territory.

" The king anſwered, in a rage : Who, among you, is not my ſubject ? " Then *Meghaverna* roſe, and ſaid : Give the word, O king ! and I will " put this baſe parrot to death. The miniſter then firmly addreſſed the " king, and the crow, in theſe words :

" Yet hear :

" That

" That is no council, at which the aged attend not; they are not aged, " who ſpeak not with juſtice; that is not juſtice, which is unaccom- " panied with truth; and there is no truth where fear prevails.

" This is clear law. The parrot is a Brahmen; but an ambaſſador, " though a barbarian, muſt not be ſlain: a king ſpeaks by the mouth of " his ambaſſador, who, though weapons be raiſed for war, merely delivers " his meſſage.

" Farther:

" Who conſiders himſelf debaſed, becauſe an ambaſſador reports, that " others magnify themſelves? They who are reſpectable, are ſo in them- " ſelves: a meſſenger ſpeaks only as he is inſtructed.

" The king, neverthelеſs, and the crow, expreſſed their natural warmth " of temper; and the parrot, riſing from his ſeat, departed: after which, " an officer, ſent by the miniſter, complimented him with an ornament " of gold, and then diſmiſſed him.

" The parrot returned to the *Vindhya* mountains, and paid his reſpects " to *Chitraverna*, who ſeeing him, ſaid: Well, my ambaſſador, what is " the ſtate of things? What ſort of a country is it? O king! anſwered " the parrot, the ſtate of things is ſhortly this: A war muſt be reſolved " on; the iſland of *Carpura* is a terreſtrial paradiſe; how can I paint it " in proper colours?

" The king, hearing this, convened an aſſembly of his moſt diſtin- " guiſhed miniſters, and, having taken his ſeat in council, ſpoke thus: " Now, ſince war muſt be waged, adviſe what is to be done.

" As

"As it is written:

"Discontented priests, and contented princes, are alike ruined: modest "harlots, and immodest women of rank, are alike undone.

"A vulture, named *Duraderʃi*, or far-seeing, then spoke thus: O "king! in distress, war is not to be waged:

"Since:

"Whenever the counsellors of a monarch are well disposed, and his "ministers serve him steadily, and when the foe is unprepared, then he "may declare war.

"Let an astrologer, said the king, be summoned by this my order; "and let him calculate a propitious day for our expedition. O king! "said the minister, any expedition, at present, is improper.

"Since:

"Fools only engage on a sudden, without ascertaining the strength of "their enemy; and most assuredly receive a number of drawn sabres on "their necks.

"Do not, said the king, oppose, on all occasions, my eager desire; but "declare, how a prince, who seeks victory, must invade a foreign terri-"tory. I will declare it, said the vulture; only hear; yet even this plan "produces dangerous fruit:

"Thus it is written:

"What need has a prince of a counsellor who acts not, and rea-

" ſons from books; by memory, preſcribing a medicine, no diſorder is " cured.

" Is the country, then, ſaid the king, not to be invaded? that ſo far is " ſettled.

" I will ſpeak, ſaid the miniſter, what I have heard adviſed.

" 1. Whenever, O king! there is fear of danger with a river, a moun- " tain, a wood, and a caſtle; then let the chief commander go forth with " collected troops, exerted ſtrength.

" 2. Then the principal obſerver of the hoſtile force, advance firm, " encircled by warriors: in the centre, let huſbands and wives, with the " treaſure, be placed; and all who are weak.

" 3. In both wings let the cavalry be ſtationed: by the horſes, cha- " riots; by the chariots, elephants; by the elephants, infantry.

" 4. Then let the ſovereign march, giving confidence gradually to the " diſpirited, ſurrounded by valiant counſellors, and with a great force.

" 5. Let him advance with elephants, to a ſtation that is watery and " mountainous; with horſes, to a level and dry ſtation; let him paſs " water in boats, and every where be attended with foot-ſoldiers.

" 6. The march of elephants is advantageous in the cloudy ſeaſon; " of horſes, in the ſummer; and of infantry, in all ſeaſons.

" 7. When armies march over dangerous roads, they muſt provide for " the ſafety of the king; but if he ſleep, though guarded by heroes, he " neglects his duty.

" 8. Let

" 8. Let him ſmite, let him deſtroy the foe with hard and ſharp " ſtrokes; and when he enters a foreign country, let him look out for a " wood before him.

" 9. Where the king is, there is the treaſure; where there is no trea- " ſure, there is no reigning; but let him impart it to his warriors: Who " would not fight when wealth is beſtowed?

" 10. No man, O king! is the ſlave of a man, but of riches: the rank " of a ſpiritual guide, or the lowneſs of a beggar, depend on wealth, or " the want of it.

" 11. They fight to prevent a defeat, and mutually defend each other; " but let that part of an army which is ever ſo little weak, be ſtationed " in the midſt of the forces.

" 12. Let the ſovereign place the infantry before him; and take his " ſtation. While the foe is compelled to go round him, let him lay " waſte the country.

" 13. On a level ground, let him engage with chariots and horſes; " on the water, with boats and elephants.

" 14. In a place covered with trees and creeping ſhrubs, let him uſe " bows, ſwords, and ſhields, and other weapons.

" 15. Let him continually moleſt his enemy; deſtroying their food, " their fields, their water, their wood, and their entrenchments.

" 16. Among the king's forces, the elephant is the chief, and no " other: an elephant, uſing all his members, is conſidered as having eight " arms.

" 17. The

" 17. The horſe is the ſtrength of armies, for he is a moving wall: " a king, therefore, poſſeſſed of many horſes, is victorious in land-fights.

" 18. Warriors, mounted on horſes, are hard to be conquered, even " by gods; their enemies, even at a diſtance, are ſubdued by them.

" 19. The firſt buſineſs of war, is the preſervation of the whole army: " cleaning the ground, and chuſing the aſpect, is called the firſt action.

" 20. Wiſe men acknowledge as their elder brother, a man naturally " brave, ſkilled in arms, well-affected, kind-hearted, difficult to be ſub- " dued, famed for heroiſm, and of great ſtrength.

" 21. Men do not fight, O king! ſo boldly for gifts and wealth, as for " the honours conferred by their ſovereign.

" 22. A ſmall army, if excellent, is a great one; not a numerous force " with their heads ſhorn (diſgraced): the flight of bad troops aſſuredly " cauſes the route of good ones.

" 23. Not to protect, not to be preſent, to be ſparing of gifts, to pro- " craſtinate, to have no wardour who may introduce ſuppliants; theſe are " cauſes of diſaffection.

" 24. By haraſſing the foes, let him who ſeeks victory overcome them; " by delaying to haraſs them, they proſper, and are gratified.

" 25. In defeating the enemy, there is no other object than dividing " the ſpoil: let the prince, therefore, with care divide the booty taken " from the foe.

" 26. When

" 26. When peace is made by a viceroy, or by a principal counſellor, " a firm prince may expreſs anger, and renew the war.

" 27. He may even, after having defeated the enemy, deſtroy them, " with troops eager for gain ; or ſeize and carry off their cattle, or even " impriſon their chief.

" 28. Let a prince make his own regions popular, for the ſake of poſ- " ſeſſing that of another : or by beſtowing gifts, and conferring honours, " with like popularity, let him acquire the odour of fame for generoſity.

" Ah ! ſaid the king, what need is there for ſo many words. To be " fortunate by nature, and to ſubdue the foe, theſe are the two proper- " ties of a king : by poſſeſſing theſe qualities, wiſe princes extend their " glory like *Vàchaſpati !*

" Another kind of ſtrength, ſaid the miniſter, ſmiling, muſt be pro- " vided ; another code of ſciences muſt be prepared : How can light and " darkneſs remain equally in one ſtation ?

" The king then aroſe, and an aſtronomer having marked the propiti- " ous time of the ſun's paſſing through the ſign, he marched forth. Juſt " then a meſſenger arrived, who, after making obeiſance to *Hiranyagharva*, " thus ſpoke : O king ! *Chitraverna* is approaching ; and even now, has " taken his ground on the top of the mountain *Malaya :* a guard muſt " be kept continually in the caſtle, for the vulture is his prime miniſter. " Yet more : It has been aſſerted, in converſation upon this ſubject, that " a certain bird was before ordered by the vulture to make an attempt " upon the fortreſs. O king, cried *Chacravaca*, that muſt be the crow ! " By no means, ſaid the king ; if it were ſo, how would he have begun " with propoſing the death of the parrot ? Beſides : Our foes ſucceſs in " this war, muſt have been ſince the arrival of the parrot : the crow has " been

" been a long time conſtantly here. Yet, ſaid the miniſter, when a " ſtranger comes, he ſhould be treated with caution. What benefactor, " ſaid the king, can be conſidered as a ſtranger!

" Hear:

" A ſtranger, who is kind, is a kinſman.

" An unkind kinſman is a ſtranger.

" Painful diſtempers are bred in the body, while ſoothing medicines " grow in the foreſt.

" Again:

" *Viravara*, ſervant of the king *Sudrac*, in a ſhort time, gave up " his own ſon.

" How, aſked the miniſter, did that happen?

" Once, anſwered the king, as I was ſporting with a young gooſe, " named *Carpuramanjari*, in the pool of *Carpuraceti*, made for the recrea- " tion of king *Sudrac*, a *Rajaputra*, named *Viravara*, who had come " from a diſtant country, went, at that time, to the wardour of the palace, " and ſaid: I am a *Rajaputra*, who want a maintenance, grant me a ſight " of the king! The warden went to *Sudrac*, and performing due " homage, ſaid: O king! a *Rajaputra*, named *Viravara*, is come from " a foreign country, and ſtands at thy gate.

" The king ſaid: Bring him to me. *Viravara* was accordingly " introduced to the king's preſence; and ſaluting him, ſaid: If you aſk " for me as thy ſervant, O king! allow me a ſtipend. What ſtipend

" doſt

" doſt thou demand? ſaid *Sudrac.* Four hundred pieces of gold a day, " anſwered *Viravara.* With what implements, ſaid the king, canſt thou " perform ſervice? With three, ſaid *Viravara*: the two firſt are my " two arms, and the third is my ſabre. It cannot be, ſaid the king; and " *Viravara,* making his obeiſance, departed. The firſt miniſter then " addreſſed the king: Allow him, Sir, this ſalary for a few days, that " his diſpoſition may be known; then you may proportion his pay to " the talents he poſſeſſes. *Sudrac,* perſuaded by this advice, called " back the ſoldier, and giving him betel, ordered him the ſtipend he had " demanded. And then keeping a conſtant watch on his actions, learnt " that *Viravara* gave one half of his pay to the gods and the brahmens, " one quarter to the poor, and the remainder he ſpent on himſelf. This " was his conſtant practice. And, with his ſabre in his hand, he kept " watch, day and night, at the palace gate; going to the king only when " he was called for.

" On the fourteenth of the dark half of the moon *Bhadra,* at mid- " night, the king heard the ſound of weeping and lamentation. He " ſaid, aloud: Who is there at the gate? The ſoldier anſwered: O king! " I, *Viravara,* am in waiting. Let an enquiry be made, ſaid the king, " concerning that weeping. Be it as the king commands, ſaid *Viravara,* " and immediately departed.

" In the mean while, the king, thinking within himſelf, that he had " unadviſedly ſent a ſingle ſoldier, in ſo dark a night, without a torch, " took his cimeter, and followed him out of the town.

" *Viravara* had diſcovered a damſel, very young, exquiſitely beautiful, " and elegantly appareled, to whom he ſaid: Who art thou? wherefore " doſt thou weep?

" She

" She anſwered :

" I am *Lacſhmi*, the Fortune of king *Sudrac*; under the ſhadow of " whoſe arm I have long repoſed : but am now forced to depart from " him, and therefore weep. By what means, ſaid *Viravara*, can the " the goddeſs be again eſtabliſhed here? If thou, anſwered *Lacſhmi*, " will devote to me, the goddeſs of felicity, thy ſon *Sactivaré*, whoſe " body has ſixty marks of excellence, I will again dwell a long time in " this country.—So ſaying, ſhe vaniſhed.

" *Viravara* then went to his own houſe, and waked his wife and ſon, " whom he found ſleeping. *Viravara* repeated to them the very words " of *Lacſhmi*; which *Sactivara* no ſooner heard, than he ſaid, with rap- " ture: Glorious, indeed, am I become! who am the inſtrument of ſav- " ing the dominions of my prince! What, O father, ſhould occaſion " delay? any day, ſurely, muſt be favourable for offering up my body " in ſuch a cauſe.

" Since the poet ſays :

" A good man would reſign his wealth, and even his life, for others : " ſince death is inevitable, that death is ſurely beſt, which procures moſt " good to the virtuous.

" Let this, added his mother, be the buſineſs of our family : if it be " not, how elſe can we give an equivalent for the ſplendid ſalary which " the king allows us?

" Having ſaid this, all of them haſtened to the goddeſs of proſperity; " to whom *Viravara*, with pious adoration, ſaid : Be favourable, O god- " deſs! grant victory to the great king *Sudrac*, and receive thy offered " ſlave. So ſaying, he ſtruck off the head of his ſon : and immediately

" thought

"thought thus within himſelf: I have now made a full return for the "king's munificence, but, without my boy, my own life is a fruitleſs "burden. After this ſhort meditation, he ſtabbed himſelf: and his "wife, ſeeing him dead, and unable to ſurvive her huſband and her ſon, "put an end to her life with the ſame weapon.

"All this *Sudrac* heard and ſaw with aſtoniſhment, and ſaid:

"Ignoble men live and die like me; but the equal of that *Viravara* "never exiſted, nor ever will exiſt among men. Since my kingdom "is therefore deprived of him, it is of no more uſe to me.

"He then unſheathed his ſword, and was preparing with pleaſure "to give himſelf a mortal wound, when the goddeſs *Lacſhmi*, ap- "pearing in a viſible form, took the king by the hand, and ſaid: "My ſon, this act will be abſurd; thy realm ſhall not now be broken. "*Sudrac*, falling proſtrate, ſaid: O goddeſs, I have no occaſion for "my realm, nor even for my life. If ſtill thou haſt any affection for "me, let that hero *Viravara*, with his wife and ſon, be reſtored to "life by my death; let me go into that path which becomes me. I "am abundantly ſatisfied, ſaid *Lacſhmi*, with thy fervent piety, and love "for thy ſervant; go, conquer, and let the hero, with his family, riſe to "life!

"The king, having again proſtrated himſelf before the goddeſs, re- "turned to his palace, unſeen by any mortal. *Viravara*, in the mean time, "roſe from the dead, with his wife and his child:—they went home, "and he returned to his ſtation before the royal gate.

"The king then aſked him, what he had found to be the cauſe of

" the lamentation. He anſwered: O king! a girl was weeping, and " when ſhe ſaw me, ſhe vaniſhed: there was no other cauſe.

" When the king heard this anſwer, he was highly pleaſed; and ſaid " within himſelf: How can this moſt virtuous man, *Viravara*, be re-" warded?

" It is written:

" A true hero ſpeaks gently, boaſts not of himſelf, is liberal, and no " reſpecter of perſons.—A great man is benevolent.

" How this whole tranſaction proves the greatneſs of *Viravara!*

" In the morning the king aſſembled an illuſtrious council, and, re-" lating the adventure, from the beginning to the end, conferred on " *Viravara*, with great honour, the kingdom of *Cárnata*.

" How then is a ſtranger to be cenſured? But among ſtrangers, it is " true, are ſome of the higheſt, ſome of the loweſt, and ſome of the " middle, claſs.

" *Chacravaca* then ſaid: What ſort of a counſellor is he, who grati-" fies the deſire of his prince, when he orders what ought not to be " done? It is better that the mind of his maſter ſhould be grieved, " than that he ſhould periſh through improper conduct.

" Hear, O king!

" Let me attain what is acquired by virtue; and not reſemble the " barber, who, through the deluſion of a golden veſſel, ſlew the beg-" gar, and was ſlain himſelf.

" How,

" How, aſked the king, did that happen?

" In the city of *Ayodhya*, ſaid the miniſter, lived a ſoldier, named " *Chudamani*; who, giving himſelf great pains in ſearch of wealth, " paid particular homage to the god adorned with a creſcent: and hav- " ing committed very few ſins, had the felicity of ſeeing the deity in a " dream; who ſaid to him: Shave thyſelf this morning, and ſtand " concealed behind the gate, with a club in thy hand, with which " thou ſhalt put to death a beggar, who ſhall come into the court, and " inſtantly the dead body ſhall be changed into a veſſel full of gold; " which infallibly ſhall make thee happy, as long as thou liveſt and " ſpendeſt it freely. The ſoldier did as he was commanded, and gained " the treaſure; but the barber who had come to ſhave him, and ſaw " what happened, thus reaſoned within himſelf: Oh! is that the mode " of gaining gold? what then, cannot I too perform? From that time, " therefore, he ſtood early in the morning, from day to day, with a club " in his hand, waiting for a beggar: and one morning, a poor man, who " came to ſolicit alms, was attacked and ſlain by him. The king's " officers, however, ſeized him, and he ſuffered death for the murder. " Thence I ſaid: Let me poſſeſs what is gained by virtue, and *ſo* " forth.

" How, ſaid the king, can he be proved, by a multitude of words, to " be any other than what he ſeems? Is any one a friend, without good " reaſon? Why then ſhould my confidence in him ceaſe? let him now " come, and in his ſtation be of uſe to me. If *Chitraverna* be at this " moment in the mountain of *Malaya*, what can be done?

" I have heard, ſaid the miniſter, from the mouth of a ſpy, juſt " arrived, that *Chitraverna* has diſregarded the advice of his counſellor, " the vulture: the indiſcreet prince may, therefore, be ſubdued.

" For:

" For:

" He who thirſts for wealth; he who abandons honeſty; he who re-
" jects advice; he who ſpeaks falſely; a negligent man; a coward; a
" weak man; all theſe, if enemies, have no reaſon to rejoice.

" As long, therefore, as he refrains from ſurrounding the gates of the
" fort, ſo long may the sarás's, and the other generals, be employed in de-
" ſtroying his forces in the river, the mountain, the caſtle, and the roads.

" Thence it is written:

" When an hoſtile army is fatigued by a long march, is impeded by
" a river, a mountain, or a foreſt, intimidated by a terrible fire, torment-
" ed with thirſt, deficient in vigilance, weakened with hunger, afflicted
" with diſeaſe, or pain, not well ſtationed, moleſted by ſtorms and
" ſhowers, obſtructed by duſt, by mud, and by water, an army in ſuch
" ſituations may eaſily be overpowered by an intelligent king.

" Again:

" An army, O king! which is exhauſted by watching, through fear of
" a nightly aſſault, and ſlumbers through the day, may at once be ſub-
" dued, as the eye is overcome by ſleep.

" Thy troops, then, advancing againſt thoſe which he has detached,
" will deſtroy them by day, and by night, as occaſion ſerves.

" This was accordingly done, and *Chitraverna* ſeeing many of his
" leaders and officers fall around him, thus, with extreme grief, addreſſed
" his miniſter *Duradarſan*:

" O, my

" O, my father! why do we ſtay longer here? What diſgrace has be-
" fallen me!

" It is written:

" When no progreſs is made in acquiring dominion, all will prove un-
" ſucceſsful. Not to advance, as certainly deſtroys proſperity, as age
" impairs the moſt beautiful form.

" Beſides:

" Good actions lead to ſucceſs, as good medicines to a cure; a healthy
" man is joyful, and a diligent man attains the end of learning. So a juſt
" man gains the reward of his virtue, riches, and fame.

" Be virtuous, juſt, benevolent, and affectionate, to all creatures that
" have life; as water naturally deſcends, thus wealth, and felicity, natu-
" rally come to a good man.

" O king! ſaid the vulture, a prince, though unwiſe, reaches the
" ſummit of magnificence by attending to one who encreaſes his know-
" ledge, like a tree which flouriſhes by growing near a river.

" Farther:

" The taſte of wine; the love of woman; exceſſive hunting; gaming;
" and borrowing of money; liſtening to falſe charges; ſeverity in inflict-
" ing of puniſhments; theſe are the cauſes of a king's miſery.

" Yet more:

" Wealth unjuſtly collected is not enjoyed by him who indulges in
" boundleſs

" boundlefs pleafures, but has no refource in his inmoft foul ; true wealth " refides with good morals, and with valour.

" Thou, perceiving the good condition of thy army, and exulting in " force alone, haft added harfhnefs of fpeech to thy neglect of my coun- " fels ; this fruit, therefore, of thy bad conduct, is now actually gathered.

" As the poet fays :

" What offences againft morals are committed by him who liftens not " to advice !

" What man, who refufes to take medicines, do not diforders torment ?

" Whom doth not good fortune fill with pride ?

" Whom does not death at length overtake ?

" Who is not plagued by wealth, and goods, brought as a portion by " his wife ?

" Thus, therefore, I reafoned : This prince has no underftanding ; how " he confumes the dictates of found inftruction by the fire of his own " words !

" For :

" If a man has no knowledge of his own, of what ufe is a book to " him ? Of what fervice is a mirror to a blind man ?

" For this reafon I remained fpeechlefs. The king, joining his fore- " feet in a fubmiffive pofture, faid : Be it fo ; it is all my fault : but now " advife,

" advise, how, with this reinforcement of my army, I shall return to the " *Vindhya* mountains. The vulture thought within himself: We must " have recourse to a stratagem; and then said, aloud: O king! anger " must ever be appeased towards the gods, a preceptor, cattle, kings, " priests, women, and children, towards cows, the old, and the sick: then, " with a smile, he added: Be not disheartened, O king! be confident.

" Hear:

" The wisdom of a *counsellor* is known on a breach of peace; of a *phy-* " *sician*, in the three acute distempers: Who is not wise, that can shew " wisdom in such emergencies?

" Besides:

" When fools begin a trifling act, they hesitate; but when the wise " begin an arduous enterprize, they are firm, and without hesitation.

" I, therefore, will conduct thee quickly hence to the *Vindhya* moun- " tains, attended with fame and strength, having even destroyed by thy " force the castle of the enemy.

" How, said the king, can that be atchieved with so inconsiderable an " army? Sir, answered the vulture, it will all happen.

" He, therefore, who desires conquest, must avoid procrastination, and " hasten to attain victory.

" This very day let a line be formed around the fortress.

" While this was doing, a baca (or paddy-bird), who had been sent as

" a spy,

" a ſpy, came to king *Hiranyagarbha*; whom he thus addreſſed: O king, " this *Chitraverna* is now, by the advice of his counſellor, the vulture, " ſurrounding the gates of thy caſtle. The king, turning to his miniſter, " ſaid: O thou, all-knowing, what now muſt be done?

" The flamingo ſaid:

" By the ſtrength of thy own mind, O king, make a diſtinction be- " tween good and evil; diſtribute gold and dreſſes, as marks of thy favour, " to ſuch as deſerve them:

" Since it is written:

" Fortune deſerts not that lion-prince, who exacts twenty ſhells from " the peaſant, yet beſtows thouſands of weights of gold with a liberal " hand.

" Again:

" On eight occaſions, O king! there cannot be too much liberality:

" A ſolemn ſacrifice, a royal marriage, in public diſtreſs, for the deſtruc- " tion of enemies, on a work which will raiſe reputation, on the ſociety " of friends, for the comfort of beloved wives, and for the relief of indi- " gent relations.

" Yet more:

" A fool, through fear of beſtowing too much, aſſuredly loſes all: What " wiſe man diſpenſes not his whole fortune through fear of a worſe miſ- " fortune?

" How,

" How, ſaid the king, can exceſſive prodigality be of uſe on the pre-
" ſent occaſion?

" It is written:

" To eſcape danger, let a man preſerve his wealth; to ſecure his
" wealth, let him preſerve his wife; and by his wife and his wealth, let
" him even preſerve himſelf.

" How, ſaid the miniſter, can a fortunate man be expoſed to danger?
" Sometimes, anſwered the king, Fortune forſakes her favourites. Even
" accumulated wealth is loſt, replied the miniſter; laying, therefore, aſide
" this avaricious mood, encourage thy warriors with gifts and honours.

" As it is written:

" Soldiers contented with their ſtations, determined to periſh or con-
" quer when they are ennobled, and honoured, infallibly ſubdue the
" hoſtile forces.

" Again:

" Heroes, with good morals, pleaſed with their ſervice, reſolved to act,
" although there be only five hundred of them, ſlay an army of foes.

" Yet more:

" A prince who knows not how to make diſtinctions, who acts with
" ſeverity, and fruſtrates good actions, is deſerted by all honeſt men;
" how much more by others? Even a wife deſerts a huſband, who only
" gratifieth his own hunger.

" Since it is added:

" Truth, valour, liberality, these are the principal virtues of kings; " void of these, a ruler of the world is sure to have a blemished character.

" Good counsellors are also necessarily to be honoured.

" Therefore it is written:

" The hero, who, when he is engaged in any great undertaking, par- " dons offences, disperses treasure, encreases fortunes, he is to be trusted, " he is to be served with our hearts, and wealth!

" Farther:

" When a low man, a woman, a child, or a fool, are the advisers of " a king; he is tossed by the winds of vice, and drowned in a sea of " trouble!

" Again:

" The prince who conceals his joy, and his anger, who spends his " revenue with continual moderation, is never forsaken by his servants, " and the earth bestows her wealth on him!

" Such ministers as resolve to prosper, or perish, with their sovereign, " ought never to be disgraced by him:

" Since:

" When a king, blind with pride, falls into an ocean of perils, the wise

" exertions

" exertions of an affectionate minister take him by the hand, and pre-
" serve him from drowning.

" After this conversation *Meghaverna* entered hastily, and having paid " homage, thus addressed the king: Grant me, O king! the honour of " an interview; the enemy, who wage this violent war, are in motion at " the castle gate; let me, therefore, by the order of your majesty, sally " forth, and shew my valour, that I may return, in some degree, the " obligations which you have conferred on me. No, no, said the fla- " mingo, if we are to sally forth, it is needless to fortify the castle.

" Therefore it is written:

" Though a crocodile be dangerous as poison, yet, if he leave the " water, he becomes weak: if a lion depart from the forest, he necessarily " becomes like a shakàl.

" O king! go in person, and view the attack:

" For:

" Let a prince lead his army, and engage at its head: even a dog " lions it in sight of his master.

" Nevertheless, all the troops, by the king's command, marched out of " the castle, and a dreadful conflict ensued.

" On the next morning *Chitraverna* said to the vulture: Ha, father! " what thou hast promised, must be performed.

" Hear, O king! said the vulture:

" A general,

" A general, who acts unſeaſonably, who is weak, indiſcreet, ignorant " of principles, cannot keep a ſecret, or fights without courage, is the " ruin of a fortreſs.

" To conquer by alliance with the enemy's officers; to continue a " blockade obſtinately; to attack at night; or to take a caſtle, and plunder " it, by ſtorm; theſe are the four greateſt acts in war.

" Then, whiſpering in his ear, he added: Let us engage, therefore, " here as valiantly as we are able.

" Before the ſun was riſen, while a fierce battle was fought before each " of the four caſtle-gates, *Meghaverna*, with the crows, his companions, " ſet fire, in one day, to the whole fortreſs, and cried out: The fort is " taken! it is taken! When the generals, therefore, of *Hiranyagarbha*, " and the other birds of the garriſon, heard the clamour, and ſaw the " caſtle in flames, they ſpeedily entered the pool:

" For:

" A good conſultation; a good preparation; a good engagement; and " a good retreat; let a wiſe officer do all this when occaſion offers, with- " out heſitation.

" The gander, from his natural form and habit, moved ſlowly, ac- " companied by the ſarás; and being ſurrounded by the cock, with the " troops of *Chitraverna*, thus addreſſed his faithful general: O ſarás! " thou ſhalt not deſtroy thyſelf through my fault; thou mayeſt now de- " part, enter the lake, and there, with the advice of *Servajnya*, my " miniſter, place on the throne my ſon *Chudàretna*. Give not, O king! " ſaid the ſarás, this improvident order: thou mayeſt yet be a great mo- " narch, famed as long as the ſun and moon ſhall endure. I was com-

" mander

" mander of the caſtle, and the enemy may enter it when the gates of it " are ſtained with my blood:

" Since it is written:

" A maſter, patient, generous, abounding with good qualities, is to be " ſerved for his virtue.

" True, ſaid the king; but it is added:

" A ſervant, pure, honeſt, and faithful, is I know hard to be found. " The ſarás then ſaid: Hear, O king! if, by leaving the field, we " loſe all fear of death, we may then proſperouſly ſeek another place; " but if death be inevitable, why ſhould our name be ſullied to no good " purpoſe?

" Again:

" In this world, broken with the motion of waves, violently agitated, " life ſhould be virtuouſly ſacrificed for the benefit of others.

" Thou, O king! muſt in all events be preſerved.

" Since:

" The king; the miniſter; the country; the fortreſs; the treaſure; " the army; and our friends; theſe are, by nature, the bodies of a king- " dom, and ſhould continue an aſſemblage of precious things, long ſe- " cured: among theſe, the chief is the king; for nature, though abund- " ant, cannot exiſt when her lord is gone. Though *Dhanwanteri* be " the phyſician, what can he do when life is departed?

" Beſides:

"Besides:

"This mortal race of subjects are miserable, through the misery of the "prince; and by his rise they rise, like the lotus, visited by sun-beams.

"The cock then came, and attacked the gander with his talons and "beak; but the sarás, in haste, covered his prince with his wings and "body, till, when all the cocks at once assailing him, still securing the "king who had fallen, pushed him into the water, and slew, with his "sharp bill, the general of the cocks; but fell himself, overpowered by "a multitude of birds. *Chitraverna* then entered the castle, and seizing "all the treasures hoarded in it, was congratulated as victor by the en-"comiasts, and returned to his own camp."

"We admire," said the young princes, "the virtue of the sarás who "commanded the gander's army, in preserving his lord at the expence "of his own life:

"Since:

"Cows bring forth calves, all with bodies like themselves; but few of "them are bulls, with horned foreheads, and leaders of the herd."

"The noble sarás," said *Vishnusarman*, "by abandoning his mortal "frame, ascended to the immortal gods, and was born again the son of a "goddess, living happily above, for a time proportionate to his merit.

"Thence it is written:

"They who are valiant in battle, forsaking even life for the sake of "their masters, and servants devoted to their lords, and intelligent in "business, ascend indubitably to heaven.

"Again:

" Again :

" When a ſoldier, who has ſhewn no timidity, falls in battle, ſur-
" rounded by foes, he reaches the gods, who die no more.

" May you, when you reign, fight not always with elephants, with
" horſemen, and with infantry ! but may your enemies, overthrown by
" the winds of wiſe counſels, be driven for protection to the mountains !"

END OF BOOK THE THIRD.

BOOK

# BOOK THE FOURTH.

## *On Peace.*

THE princes then addreffed their inftructor: "Thou haft given an "account of war, now let us hear fomething of peace."—"I will fpeak," faid *Vifhnufarman*, "of peace; fince it is your pleafure.

"Attend; the principal verfe is this:

"A great war continuing, and the armies of both kings being ex- "haufted, peace was quickly concluded by the vulture and the chacra, "who met for that purpofe."

"How," faid the princes, "did that happen?"

*Vifhnufarman* proceeded with the fable.

"The gander, thus preferved, faid to his council: Who fet fire to my "caftle? Was it a ftranger, or a fubject of mine, inhabiting the fort, and "in league with mine enemies?

"O king, anfwered the chacra, that *Meghaverna*, whom you made "your friend without reafon, is now with the enemy; at leaft he is not "to be found here; whence I conclude, that the bafe work was his.

"The

" The king, after meditating a while, ſaid: Even ſo: this was my " fault, or my bad fortune.

" Whence it is ſaid:

" It is even the fault of deſtiny, not of his counſellors: and whatever " good he has before done, is on this account deſtroyed.

" This, too, is written, ſubjoined the counſellor:

" When a man has a bad ſtar he accuſes deſtiny; but unwiſely per- " ceiveth not his own bad actions.

" Further:

" He who follows not the advice of his beloved friends, falls like the " fooliſh tortoiſe from the pole by which he hangs.

" How, ſaid the king, was that?

" In *Magadhadeſa*, or *South Behar*, anſwered the chacra, is a pool, " named *Phullo'tpala*, or lotus-bloſſom; where two geeſe dwelled, together " with a tortoiſe, their friend. It happened once, that ſome fiſhers came " thither, and ſaid: Why do we wait ſo long on the bank? In the morn- " ing we will deſtroy all the fiſh, and the tortoiſes. The tortoiſe hearing " this, ſaid, with great fear, to the two geeſe: My friends, I have heard " the dreadful threats of the two fiſhermen; what, therefore, can be " done? Let it firſt be aſcertained, anſwered they, that we are in danger, " and then deliberate on the means of eſcaping. No, no, ſaid the tor- " toiſe, what appears expedient muſt be done immediately:

" As it is written:

" The

"The two fiſh, *Anagata-vidhatri* and *Pratyutpennamati*, both proſ-
"pered, while *Yadbhawiſhya* periſhed.

"How, ſaid the geeſe, did that happen?

"Once, anſwered the tortoiſe, three fiſhermen, who had come to this "very pool, were ſeen by the fiſh, one of whom, named *Anagatavid-* "*hatri*, thus thought within himſelf: I muſt not ſtay here; but, diſre- "garding the maxim, that, what will be, will be, let me ſink to the bot- "tom: he ſunk accordingly. Another fiſh, whoſe name was *Pratyut-* "*pennamati*, ſaid: Whither muſt I go, ſince I have no certain knowledge "of futurity? I muſt act with reſolution:

"Since it is written:

"He who is in danger, and finds a way to eſcape, is truly wiſe.

"That, ſaid *Yadbhawiſhya*, which is impoſſible in nature cannot be "done; that which is natural may naturally be performed; ſince this "opinion deſtroys the venom of care, why ſhould we not take ſo ſalu- "tary a medicine?

"When *Pratyutpennamati*, therefore, was caught in the net, he ſprang "with all his force into the water, and diſappeared; while *Yadbhawiſhya* "was taken and killed. Thence I repeated the verſe concerning this "fiſh: Let it, therefore, be contrived, that I may go to the bottom of "ſome other lake.

"How, ſaid the geeſe, canſt thou, who creepeſt on the ground, go "ſafely? Let me go, anſwered he, with you through the air. But how, "replied the wild geeſe, can that be contrived? If you two, ſaid the "tortoiſe, hold a ſtaff in your beaks, I will graſp the middle of it with "mine;

" mine; and thus you will fly with me through the air. Let this be " the contrivance, ſaid the geeſe; but he who thinks of a meaſure, muſt " alſo think of the evil which may enſue: ſee how the youngeſt of the " fooliſh baca's were devoured by weaſels.

" How, ſaid the tortoiſe, did that happen?

" In the north, ſaid one of the wild geeſe, near the mountain, called " *Gridhracátà*, or vulture-cliff, on the bank of the river called *Airávati*, " ſtands a vata-tree; in the hollow of which lived a black ſerpent, who " uſed to devour the young birds, that neſtled on the tree. An old baca, " hearing the lamentations of the young birds, thus addreſſed them: Have " recourſe to this expedient: take ſome fiſh, and beginning with the hole " of the weaſel, or ichneumon, ſcatter them one by one in a line, 'till " you come to the black ſerpent's hole; the ichneumon, eager for food, " will then come, and neceſſarily ſeeing the ſnake, to whom they bear " a natural enmity, will deſtroy him. This was done, and the ichneu- " mons tracing the fiſh to the cavity of the tree in which the ſerpent " dwelled, devoured him: ſoon after, a cry of the young baca's was " heard, and the ichneumons having climbed up the tree, deſtroyed " them all.

" Therefore, I ſaid: He who thinks of any meaſure, muſt alſo think " of the evil which may enſue it.

" If thou be taken, therefore, by us in the manner propoſed by thee, " thou wilt be ſeen by ſome of the human race, who will exclaim, how " wonderful! and if, on hearing this, thou attempteſt to give an anſwer, " thou wilt inevitably periſh: by all means, therefore, remain here.

" Am I, then, ſaid the tortoiſe, a perfect idiot? how ſo! I will ſay " nothing; have I no regard for myſelf?

" The

"The wild geefe finding him obftinate, raifed him on a pole in the "air; and the herdfmens boys, perceiving a tortoife in fo ftrange a "fituation, ran halloing and exclaiming: When he falls we will drefs "him, and feaft on him! Another faid: We will carry him hence alive! "The tortoife, hearing thefe ill-natured fpeeches, was fo provoked, that "he forgot his former refolution, and faid, in a paffion: Eat afhes, you "young cow-keepers! No fooner had he opened his beak, than he fell, "and was killed by them. Therefore, I faid: He who follows not the "advice of his faithful friends, falls like the foolifh tortoife.

"Soon after a baca, who had been fent as a fcout, came and faid: "O king! I had before given my advice, that the caftle fhould be evacu-"ated; this is the fruit of neglecting it:—the fortrefs was burnt by that "villain *Meghaverna*, who was employed, for that purpofe, by the "enemy's prime minifter the vulture.

"Oh! interrupted the king, with a deep figh, he who confides in a "foe, who honours or benefits him, refembles a man who fleeps on the "top of a tree, and when he falls, is reproved by all.

"The baca continued: When *Meghaverna*, O king! had burnt the "fortrefs, he went to the camp of *Chitraverna*, who was extremely "gracious to him, and faid: *Meghaverna* fhall be appointed raja of *Car-"puradwipa*:

"Since it written:

"When a fervant has acted well, his good work ought not to perifh; "but he fhould be made happy by rewards, by affection, by kind words, "and by kind looks.

"Your

" Your majeſty hears, ſaid the chacra, what the ſpy ſays. What fol-
" lowed ? ſaid the king. Sir, anſwered the baca, the vulture then ſaid:
" O king ! that would, on every account, be improper ; how can he, on
" whom dominion is conferred, be reduced if he ſhould be ungrateful ?
" exceſſive favours, to low perſons, are like water on ſand :—an ignoble
" perſon, O king ! ought never to be placed in the ſtation of the great.

" Since it is written:

" A mean perſon, raiſed to a high degree, ſeeks the ruin of his lord:
" as the mouſe, having attained the form and force of a tiger, went to
" kill the ſaint.

" How, ſaid *Chitraverna*, did that happen ?

" There is, anſwered *Duraderſin*, in the ſacred grove of the divine
" philoſopher *Gautama*, a ſaint, named *Mahàtapas*, eminently pious;
" who ſeeing a young mouſe fall near his dwelling, from the bill of a
" crow, benevolently took him up, and fed him with grains of rice.
" One day, when the mouſe was preparing to eat, a cat appeared, and
" the kind ſaint, by the power of his devotion, changed the mouſe into
" a cat. This new animal was, ſoon afterwards, terrified by a dog, and
" was made one of the ſame ſpecies. At length, being in dread of a
" tiger, he became a tiger, through the prayers of the ſaint; who then
" perceived the difference between a tiger and a rat. All the people
" ſaid: See how the piety of the ſaint has changed yon rat into a tiger !
" Then the ungrateful beaſt thought within himſelf: As long as the
" ſaint lives, this defamatory diſcourſe will be held concerning my form:
" with this thought, he ran towards his benefactor and attempted to kill
" him, but was changed, by a ſhort prayer of the heaven-eyed ſage, into
" his natural ſhape. Thence, I ſaid: A mean perſon, raiſed to a high de-
" gree, ſeeks the ruin of his lord !

" Yet

" Yet more:

" This promotion, O king! ſhould not eaſily be made: immoderate " ambition is ever prejudicial.

" Hear the poet:

" A baca, who was eagerly devouring fiſh, the largeſt, and the leaſt, " and thoſe of a middling ſize, was herſelf caught and killed by a crab.

" How, ſaid *Chitraverna*, happened that?

" The vulture anſwered: In the country of *Malavi*, is a pool called " *Pedmagarbha*, or *Lotus-bearing*; where an old baca ſtood lamenting " his want of ſtrength; and was ſeen, from a diſtance, by a crab, who " ſaid: Why doſt thou ſtand ſorrowing in the pool without food? Fiſh, " anſwered he, is my ſuſtenance; the pool is now almoſt dry, and the " fiſh will be killed by the fiſhermen;—this reſolution I heard from all " the fiſhers on one ſide of the town: ſo that it is decreed, that for want " of food I muſt inevitably periſh;—this thought, even now, takes away " my appetite. When the crab heard this, all the fiſh thus thought: " Is the baca become our benefactor on this occaſion? he then muſt be " conſulted how we are to act.

" Since it is written:

" Let an union be formed with a foe, who benefits, not with a " friend who injures thee: a view muſt be duly made of benefits and " injuries.

" They then ſaid: O baca! what means are there of ſafety? None " more certain, anſwered he, than ſinking to the bottom of another

" ſtream,

" ſtream, whither I will carry you. They ſaid: Be it ſo. Now the " cruel bird, taking them up, devoured them one by one. The crab " ſeeing the pool without fiſh, ſaid to the baca: Take me too. And " the bird, eager to taſte the delicate fleſh of the crab, took him up, with " great marks of reſpect, but flew down with him to the ground, in order " to feaſt on him. The crab, ſeeing the ground covered with the bones " of the fiſh, thus thought:

" This baſe baca, no doubt, has devoured them all. Alas! I am " killed! O me, unfortunate! Be it ſo: then let me act according to " circumſtances:

" Since:

" We ſhould only fear, when danger is diſtant: when it is preſent, we " ſhould fight like heroes!

" Again:

" When a hero, fortunate in combat, ſees nothing left that is dear " to him; then, if he be wiſe, he periſhes together with his foe.

" Yet more:

" When, without fighting, death is inevitable; and with fighting, " life is doubtful; that, ſay the wiſe, is the only moment for battle.

" With this reſolution, the crab, as ſoon as the greedy bird extended " his beak, for the purpoſe of deſtroying him, turned round, and, with " his ſtrong claws, tore the baca's throat ſo, that he was killed. Thence, " I ſaid: The baca was deſtroyed by feaſting on fiſh too greedily.

" *Chitraverna*

" *Chitraverna* replied: Now hear! my counſellor, liſten! This is my
" object: When *Meghaverna* ſhall be viceroy of *Carpuradwipa*, whatever
" precious things the country produces, thoſe he will ſend to us; and we,
" in eager expectation of them, will remain in the *Vindhya* mountain.
" *Duradurſin* rejoined, with a ſmile: O king! he who delights himſelf
" with the thought of what he does not poſſeſs, will be like the brah-
" men who broke his pot.

" How did that happen? ſaid the king.

" On the bank of the river *Apunarbhavá* (or giving exemption from
" any future birth) to the north of the city *Dèvácotara*, lived a Brahmen,
" whoſe name is *Dévaſarman.* He, at the beginning of the month,
" when the ſun enters the ram, received from a pious man, a little pot
" full of wheat bread, which he took with him to a potter's houſe, in part
" of which he reſided. Before he went to reſt, he thus ſaid within him-
" ſelf: If I ſell this pot, I ſhall receive ten cowries, with which I ſhall
" buy larger pots, and then larger, till my wealth will increaſe, and I
" become a ſeller of areca-nut and cloth: when I am worth a lac of
" rupees, I will marry four wives; to the youngeſt and handſomeſt of
" whom I ſhall attach myſelf, in preference to the reſt. This will excite
" the jealouſy of her companions, who will begin to quarrel with her;
" but I, inflamed with wrath, ſhall ſtrike them with a ſtick, thus: ſo ſay-
" ing, he threw his ſtick, and broke his pot, together with other veſſels:
" the noiſe of which alarmed the potter; who, entering the room, and
" ſeeing the miſchief done, turned the diſappointed Brahmen out of his
" houſe. Thence, I ſaid: He who delights, &c. &c.

" The king then ſpoke thus to the vulture, in private: O my father!
" adviſe what is now to be done. The vulture ſaid: The miniſters of a
" king are blamed, when he goes aſtray, like the drivers of a mad elephant!

" Hear,

" Hear, O king!

" Was the enemies caſtle deſtroyed by my contrivance, or by thy
" ſtrength? By thy ſtratagem, anſwered the king. My order, ſaid the
" vulture, was executed.

" Let us now, therefore, return to our own country; leaſt when the rainy
" ſeaſon ſhall begin, he ſhould attack us again with equal force; at a time
" when our retreat will be difficult. Now, therefore, for the ſake of our
" happineſs and eaſe, let us make peace and retire. That the caſtle is
" deſtroyed, and fame acquired, is an advantage procured by me.

" Since:

" He who offers his virtuous ſervices, and without regarding what is
" pleaſing or unpleaſing to his lord, ſpeaks diſagreeable truths, is a bene-
" factor to his prince.

" Beſides:

" Let a king ſeek peace for the love of religion; in war, ſucceſs is
" doubtful; but in making peace, let no man doubt. So ſaid *Vrihaſpati.*

" Again:

" What wiſe man, if he ſtand agitated by doubt in uncertain war, can
" preſerve his friend, his forces, his kingdom, his own life, or his fame?

" Why, ſaid the king, was not this advice given before? In what reſpect
" ſaid the miniſter, was not my opinion completely known to thee? This
" war was not begun by my advice. For the king *Hiranyagarbha* is of
" a peaceful, not a warlike diſpoſition.

" Thus

" Thus the poet ſays:

" A true-ſpeaking man, a virtuous man, a juſt man, a vicious man, " he who has many brothers, and he who has obtained victory in many " wars; with theſe ſeven, peace ſhould be made.

" 1. He who keeps truth inviolate, will not alter his nature after a " peace, even if he loſe his life.

" 2. A good man moſt aſſuredly will not become bad.

" 3. For a juſt man all the world fight. A juſt prince prevents cala- " mity by love of his ſubjects, and of virtue.

" 4. Peace ſhould be made even with a bad man, when ruin is im- " pending; not for the ſake of his protection, but from conſideration of " the time.

" 5. As duſt, when intermixed with thorns, cannot be trampled on, " ſo a king, who has many brethren, cannot be ſubdued.

" 6. It is not adviſeable to fight with a hero: even a cloud cannot go " in oppoſition to the wind.

" 7. Neither the enmity nor the friendſhip of thoſe two princes, " whoſe wealth, and whoſe forces are equal, can be very great, or very " little.

" 8. Like the ſon of *Jamadagni*, every king, who in all places, and at " all times, obtains victory in battle, enjoys glory.

" 9. He who makes peace with a prince who has been victorious in

" many

" many wars, aſſuredly overcomes his own enemies. This king, there-
" fore, who has been often a conqueror, is he, with whom peace ought
" to be made.

" When the *Chacra* had heard this converſation repeated by the ſpy,
" he ſaid: Now we know the whole, go a ſecond time, and return when
" you have learnt all that has been done. I go, Sir, ſaid the baca, and
" when I have informed myſelf, will ſpeedily return. *Hiranyagarbha*
" then ſaid to his miniſter: I am deſirous of knowing from thee, with
" what ſorts of princes peace ought to be concluded. The *Chacra* ſpoke
" thus: O king! I will enumerate them:

" Hear the poet:

" A boy, an old man, one long ſick, an outcaſt, a coward, a cauſe of
" terror, a covetous man, and one not covetous, an ill-natured man, and
" one who abounds in ſenſual gratifications, he who has many ſchemes
" and different counſels, a contemner of the gods and of prieſts, one who
" denies providence (or fate), and one who relies wholly on it, one who
" gains a little by beggars, and one who has a miſerable army, one who
" is in a foreign country, one who has many foes, and he who takes
" not the right time for action, and he who is void of truth and juſtice:

" With theſe twenty perſons, let not a prudent king make peace, or
" only with a view to their deſtruction; for theſe, in a ſhort time, are
" ſure to fall under the power of their enemy:

" Since:

" Men ſeek not to war with a boy, on account of his weakneſs; nor
" with an old man, or invalid, through want of power in them to tranſact
" buſineſs.

" An

" An outcaſt is deprived of happineſs ; even they of his own family " ſeek to deſtroy him for their own credit. A coward, through averſion " from war, naturally flees away ; and in battle, even a hero is mixed " in flight with cowards. The ſubjects of a miſer will not fight, becauſe " they ſhare not his riches ; and thoſe of him who is not covetous, fight " only through gifts. An ill-natured man is deſerted in battle by better " natures ; and the ſenſualiſt who abounds in pleaſure is overcome by " it. He who has many projects of his own, is a foe to good counſellors. " A contemner of the gods, and prieſts, as well as the oppoſer of provi- " dence, is conſtantly tormented with grief by the force of his own im- " piety. Providence is certainly the giver of wealth, and of poverty ; let " a man, therefore, meditate firſt of all on providence ; but not ſo as to " prevent his own exertions.

" A miſerable beggar is ſelf-tormented ; and he who has a bad army, " has no power to fight. A foreign invader is ſoon overpowered, even " by a weak foe.

" As the ſhark, monſter of the lake, though ſmall, ſeizes the king of " elephants, he who trembles among a multitude of foes (like a pigeon " among eagles), in whatſoever path he treads, is aſſuredly deſtroyed, " even by him with whom he travels in the road.

" He who engages unſeaſonably is overcome by him who fights at a " proper time ; as the crow was reduced to weakneſs by the owl, who " attacked him by night : never make peace with a man void of truth " and juſtice, who, let his treaty be ever ſo ſacred, will ſoon be led by " his improbity to a violation of it.

" I will repeat yet more :

" There are ſix qualities ; peace, war, halting, moving, aſking quarter,

" and

" and duplicity: five bodies of counſel; on the promotion of a work ac-" tually begun, on the diſtinction of men, things, riches, place, and time: " four remedies; equanimity, puniſhment, alliance, gifts: three powers; " the power of the council, the power of the army, and the power of the " ſovereign: by conſidering all which, they who deſire conqueſt become " great.

" Since:

" That fortune which cannot be purchaſed, even at the price of life, " voluntarily ſeeks (though changeable by nature) the palace of kings, " who underſtand good morals.

" It is therefore ſaid:

" He who always enjoys his wealth equally, who has, in parts, con-" cealed ſpies, and counſels perfectly ſecret, who ſays nothing unkind to " any living creature, rules the earth for an infinity of ages.

" But, O king! if peace ſhould be propoſed by the great counſellor, " the vulture; yet, ſince it will proceed from the arrogance of conqueſt " lately obtained, it is not to be accepted.

" This muſt be done: The ſarás, named *Mahabala*, who reigns in " *Sinhaladwipa*, is our friend; let his reſentment henceforth be raiſed " againſt *Jambudwipa*.

" Since the poet ſays:

" Preſerving his ſecret unrevealed, and his forces well united, let a " hero march, and annoy his enemy; for hot iron may form an union " with hot iron; ſo he, by equal fierceneſs, at a time when his foe is " fierce, may conclude a firm peace.

" The

" The king, having ſaid, Be it ſo, ſent a baca, named *Vichetti*, to *Sin-* " *haladwipa* with a letter, well conceited. At this time returned the " ſpy, who had before been ſent, and ſaid to *Hiranyagarbha:* Hear, O " king! what was the diſcourſe in the counſel of thy foes:—The vulture " ſaid: *Meghaverna*, who remained there ſo long, well knows whether " king *Hiranyagarbha* have a pacifick diſpoſition, or not. The crow, " being then aſked by king *Chitraverna*, what ſort of a prince *Hiranya-* " *garbha* was, and what was the character of his miniſter the *Chacra*, thus " anſwered: O king! *Hiranyagarbha* ſpeaks the truth as faithfully as " *Yuddiſhtira*; and a miniſter equal to the *Chacra* is no where to be " ſeen. If it be ſo, ſaid the king, how could ſuch a phœnix be deceived " by thee? Sir, ſaid *Meghaverna*, what ſkill is required to beguile thoſe " inſpired with confidence? What manhood is there in killing a child, " who climbs into the lap, and ſleeps there?

" Hear, O king! at firſt ſight I was detected by the miniſter; but the " king, who has great benignity, and confident hopes, was deceived by " me.

" Thence it is ſaid:

" He who thinks a knave as honeſt as himſelf, is deceived by him, like " the Brahmen who was ruined.

" How, ſaid the king, did that happen?

" In the grove of *Gautama*, anſwered *Meghaverna*, lived a Brahmen, " named *Praſtutayajajnya*, or going-to-ſacrifice; who, having bought " a goat in another village, and carrying it home on his ſhoulder, was " ſeen by three rogues, who ſaid to one another: If, by ſome contriv- " ance, that goat can be taken from him, it will be great pleaſure to us; " with this view they ſeverally ſat down in the road under three trees,

" at

" at ſome diſtance from each other, by which the Brahmen was to paſs. " One of the ſcoundrels called out, as he was going by: O Brahmen! " why doſt thou carry that dog on thy ſhoulder?

" It is not a dog, anſwered the Brahmen; it is a goat for a ſacrifice. " Then, at the diſtance of a cróſá, the ſecond knave put the ſame queſ- " tion to him; which, when the Brahmen heard, he threw the goat " down on the ground, and looking at it again and again, placed it a " ſecond time on his ſhoulder, and walking on with a mind waving like " a ſwing:

" For it is ſaid:

" The minds, even of the virtuous, are agitated by the words of the " baſe; as *Chitracarna*, confiding in the three villains, miſerably periſhed.

" How was that? ſaid the king.

" A lion, called *Madòtcata*, anſwered *Meghaverna*, reigned in part of " a certain foreſt, having three miniſters, a crow, a tiger, and a ſhakàl; " theſe three going together through the wood, ſaw a camel, to whom " they ſaid: Who art thou? whence doſt thou come? He gave them a " full account of his condition, and was conducted by them to the lion; " who bad him fear nothing, and gave him the title of *Chitracarna*, or " wonderful-ears, and kept him in his ſervice. One day the lion being " ſick, by reaſon of the late rains, the ſhakàl, and the reſt, had procured " no food, and they ſaid to one another: It is reſolved, that our maſter " muſt kill the camel, what have we to do with that thorn-eater? How, " ſaid the tiger, can this be, ſince our lord has given him his word, that " he ſhall be protected? When our prince is hungry, ſaid the crow, he " will not ſcruple to commit a crime:

" For:

" For :

" A woman, tormented with hunger, forſakes her own ſon ; and a
" ſerpent, through the ſame torment, devours her own eggs : what crime
" will not an hungry animal commit ? Even men, through hunger, be-
" come inhuman !

" With theſe ideas they all approached the lion, who aſked if they
" had provided his food. We have uſed extreme diligence, ſir, ſaid the
" crow, but have found no prey. How then, ſaid the lion, ſhall my life
" be ſupported ? Without food, ſaid the crow, all of us muſt periſh ! Is
" any, then, to be had ? ſaid the lion. The crow whiſpered in his ear,
" *Chitracarna.* On hearing which, the lion ſtroked his ears, and then
" ſtruck the ground, ſaying : How is that practicable, when I have given
" my word to protect him ?

" It is written :

" No ſuch fruit is gathered, ſay the wiſe, from giving cattle, land, or
" food ; no, not even from giving our own lives, as from giving protec-
" tion to the helpleſs.

" Beſides :

" The ſacrifice of a horſe, with all the magnificence that could be
" wiſhed, enſures not ſo great reward as the preſervation of a ſuppliant
" who ſeeks protection.

" He is not, ſaid the crow, to be ſlain by our ſovereign ; but we will
" contrive, that he ſhall give up his own body to be eat by thee. When
" the lion heard this, he remained ſilent. Then the crow, at a proper
" time, aſſembled all the courtiers, and went with them to the lion, ſay-
" ing

" ing to him: O king! no food is provided, our ſovereign is dying with " hunger; let him eat my fleſh.

" Since:

" A miniſter, however opulent, cannot live if he be deſerted by his " lord. When life is departing, what can a phyſician do, even if he be " *Dhanwantari* himſelf? All miniſters have their lord for their root; and " while trees have roots, men gather fruits, by taking care of them.

" My good friend, ſaid the lion, it were better for me to reſign my " life, than to do ſuch an act.

" The ſhakàl made the ſame offer, and the lion ſaid: By no means. " Then the tiger ſaid: Let my lord feed on my body. That, ſaid the " lion, can never be done. The camel then, having gained confidence, " offered in like manner to make a preſent of his life; and he had no " ſooner uttered the words, than the tiger tore open his belly, and the " reſt devoured him.

" Thence, I ſay: The mind even of the virtuous is ſhaken, &c.

" But to proceed. The Brahmen hearing the ſame queſtion from the " third villain, was perſuaded that the goat was really a dog, and taking " it from his back, threw it down, and having waſhed himſelf, returned " to his home; while the three ſcoundrels took the goat to their own " houſe, and feaſted on it. Therefore, I ſaid: He who thinks a knave " as honeſt as himſelf, and ſo forth.

" O *Meghaverna!* ſaid the king, how couldſt thou remain ſo long in " the midſt of enemies? And how didſt thou recommend thyſelf? Sir, " anſwered the crow, what cannot he perform, who deſires eagerly to " accompliſh his maſter's buſineſs, or his own neceſſary affairs?

" Since it is written:

" What burned wood, O king! doth not the people bear on their heads?
" As the current of the river, by gradual waſhing, cuts away the roots of
" trees.

" It is therefore ſaid:

" Let a wiſe man, who has engaged in an enterprize, carry even his
" enemy on his ſhoulder; like the ſnake who devoured the frog.

" The king aſked, how that happened; and *Meghaverna* thus an-
" ſwered:

" In the territory of *Magadha*, in an uncultivated garden, lived a ſnake
" called *Mandaviſerpa*, who, through extreme old age, could not, even
" with great labour, gain his food, and fell down on the border of a
" pond; where a frog ſaw him from a diſtance, and ſaid: Why doſt thou
" lament thus for want of food? The ſerpent, in a deſponding mood,
" ſaid: My good friend, why doſt thou enquire into the condition of a
" malignant animal like me? Upon this, the frog, highly pleaſed, ſaid:
" At leaſt, anſwer me.

" There was, anſwered he, in *Brahmapur*, a youth, named *Súſilá*,
" twenty years old, the ſon of a Brahmen, named *Caundilya:* this young
" man was accompliſhed with every virtue, but through his evil deſtiny
" was bitten by my venemous tooth. When *Caundilya* ſaw his ſon dead,
" he fainted through grief, and falling on the ground, lay greatly agi-
" tated: ſoon after his kinſmen, inhabitants of *Brahmapur*, aſſembled,
" and ſat down by him.

" As it is written:

" He

" He who adheres in pleaſure, and in miſery, in misfortune, and in " the conflict of enemies, in the king's gate, and in the cemetery, is truly " a kinſman.

" Then a holy man, named *Capila*, ſaid: Thou art a fool, *Caundilya:* " doſt thou lament for this?

" Hear:

" Firſt, the nurſe lays the new born child in her lap (there is no ſtabi- " lity): and then the mother. What uſe is there in ſorrow?

" 2. Whither are the lords of the world gone, with their armies, their " valour, and their equipage? The earth itſelf remains to this day a wit- " neſs of their ſeparation from it.

" 3. The body receives with it the principles of deſtruction; wealth " is the cauſe of dangers; they who arrive, muſt certainly return; every " thing is by nature unſtable.

" 4. This body laſts but a moment; it periſhes; it is ſeen no more; " as a pot of unbaked clay is broken ſtanding in water.

" 5. Youth, beauty, life, collected wealth, dominion, the ſociety of " friends, are all uncertain; in this the wiſe are not deceived.

" 6. As wood meets wood in the great ocean, and after the meeting is " ſeparated, ſuch is the meeting of animated beings.

" 7. The body is compoſed of five things, and haſtens to death, the " diſſolution of five things; ſo it obtains (what wonder) its proper re- " ceptacle.

" 8. All

"8. All beings, O ſon of *Bharet*, were inviſible in their primary ſtate; "became in their middle ſtate, viſible; and by death are made inviſible "again; what wonder!

"9. As long as a living creature holds his kinſmen dear to his ſoul, "ſo long the iron dibbles of affliction are ſtricken on his boſom.

"10. The company of any being with another is not permanent; "ſince his own body laſts not, what has he to do with other beings all "different in quality?

"11. Society itſelf implies, no doubt, the exiſtence of ſeparation; like "the ſucceſſion of birth, and death, which cannot be doubted.

"12. In the very inſtant of enjoying the ſociety of friends, it is im-"proper to dreſs food, which cannot be adminiſtered, with ſafety, in ſuch "a diſtemper.

"13. Night and day, ſeizing the lives of mortals, paſs on continually; "like the current of a ſtream, and return no more.

"14. The ſociety of the good in this world is like the pleaſure of eat-"ing delicate food; it is cloſely connected with the pain of ſeparation.

"15. Thence it is, that the virtuous never ſeek a cloſe connection "with the virtuous; becauſe, when the root of the mind is torn aſunder, "there is no remedy.

"16. Good actions have been performed by *Sagar*, and other kings; "but good as the actions were, they have been deſtroyed.

"17. By meditating and meditating on the ſevere death of an excel-

"lent

" lent man, like a leathern bandage, moiſtened by the rains, we ſee that
" all our cares are of no avail.

" 18. From the firſt night, in which men of valour and virtue take
" their ſtation in the womb, from that very inſtant in a continued ſeries,
" from day to day, they approach the manſion of death.

" In the opinion, therefore, of thoſe who underſtand this world, exceſs
" of grief proceeds from exceſs of ignorance.

" Obſerve:

" If ignorance be not the cauſe, but bare ſeparation, in what reſpect
" can it ceaſe.

" Reflect, therefore, here below, on the firſt principle; and diſmiſs all
" ſorrow for worldly affairs:

" Since:

" When ſons uſeleſsly born, and uſeleſsly falling, rend our boſoms,
" and cauſe exceſs in affliction, the ſovereign remedy is not to think of
" them.

" *Caundilya* received a ray of divine knowledge from the ſpeech of
" *Capila*, whom he thus addreſſed:

" Holy man, by thy favour my ſorrow is diminiſhed; but my impure
" breaſt, being waſhed in the nectareous ſtreams of thy pure counſel,
" from the bright beams of the lunar circle of thy mouth, is ſtill a little
" toſſed by the waves of ſorrow: impart, therefore, a remedy for its in-
" ternal wound.

" *Capila*

" *Capila* ſaid:

" When a father, a ſon, or a friend, is overcome by death, they who " know how to aſſuage the pain of their bowels by abſtinence, are, ne- " vertheleſs, tormented with grief: but the removal of the wiſe from this " baſe world, which never ultimately affords pleaſure, ſhould ſtrengthen " devotion, and multiply the delights of holineſs.

" *Caundilya*, hearing this, roſe up, and ſaid:

" What, then have I to do with the infernal habitation of my vain " houſe? I go inſtantly to the deſert.

" *Capila* rejoined:

" 1. He, whoſe hands, feet, and mind, are completely ſubdued; who " has knowledge, piety, and reputation, gathers the fruit of a pil- " grimage:

" 2. Even in a foreſt, where men are inflamed with paſſion, crimes " prevail; and in a private manſion, where the five members are ſub- " dued, piety dwells: the houſe of a man, employed in virtuous actions, " and free from paſſions, is a deſert of devotion.

" 3. Let even a wretched man practiſe virtue, wherever he enjoys one " of the three or four religious degrees; let him be even-minded with " all created beings, and that diſpoſition will be the ſource of virtue.

" Thus, too, it is ſaid:

" 1. They, whoſe food is only to ſuſtain life, whoſe voice is only to " ſpeak truth, paſs with eaſe through great difficulties.

" 2. Thyſelf

" 2. Thyſelf art a river; the quay of which is the virtue of ſubduing " thy appetites; the waters, truth; the bank, good morals; the waves, " general benevolence. Here waſh thy lips, O ſon of *Pandu!* for the " interior ſoul is not purified by water!

" Hear, alſo, what is added:

" Great is the joy of him who leaves this baſe world; abounding in " the pains of birth, death, old age, and diſeaſe! Grief exiſts; not " true joy: let this be conſidered. The cure of an afflicted mind, is " truly named joy.

" It is ſo, ſaid *Caundilya*, it is ſo.

" Then, continued the ſerpent, I was curſed by that ſorrowful Brahmen, " in theſe words: From this day thou ſhalt be the bearer of frogs!

" After which, *Capila* ſaid again: Hear:

" Connection with the world ſhould be avoided by every ſoul: but if " it cannot be avoided, let it be formed with the virtuous; for ſuch a " connection will remedy the evil.

" Again:

" When divine knowledge, unattended with the qualities of action, " dwells in the mind; then is the Great One attained, and the ſoul is " abſorbed in him.

" Again:

" Remembering continually, that God, who wears a diadem, ear-rings, " bracelets, and a garland of blue lotus flowers, and aſſuaging thy pain,

" as

" as with cool water from the river's bed, in the heats of ſummer; ap-
" proach the Great One, and enjoy the delight of thy ſoul.

" Piety, devotion, content, and the other virtues, muſt be nouriſhed
" like children.

" On hearing this, *Caundilya* was relieved from the fire of grief, by the
" nectar of ſage counſel; and, as the holy ordinance directs, took up the
" ſtaff of a *Vairagia:* whilſt I, through a Brahmen's execration, re-
" main here as the bearer of frogs.

" The frog, who heard this narration, went and repeated the whole to
" the prince of his diminutive race; who went and mounted the ſer-
" pent's back; and he, having received, wonderfully moved his con-
" cealed feet. Another day, when the prince of frogs perceived that
" his bearer could hardly move, he ſaid: Why doſt thou run ſo ill to-
" day? O king! ſaid the ſnake, I am weak through want of food. By
" my order, ſaid the monarch, go and feed on my ſubjects. After this,
" the ſerpent feaſted every day, without fear, on delicate frogs; and at
" length, ſeeing none of the race remaining in the pool, devoured the
" king himſelf. Thence, I ſay: Let a wiſe man carry even a frog on
" his ſhoulder, &c. &c.

" Apply now, ſaid *Meghaverna*, the moral of this ancient ſtory.

" King *Hiranyagarbha* muſt be appeaſed; let peace be concluded:
" this is my opinion. What a judgment is yours, ſaid the king; is
" not that gander conquered by us? If then he live under my com-
" mand, let him live; if not, war muſt reduce him.

" After this conſultation, a parrot arrived from *Jambudwipa*, with in-
" telligence, that the ſaràs, who reigned over *Senhaladwipa*, was ad-
" vancing

" vancing to the iſle of *Iambu*, and claiming the ſovereignty of it. " *Chitraverna* exclaimed, with agitation: What! What! The parrot " repeated the news juſt before mentioned; and the vulture ſaid, within " himſelf: O excellent miniſter! excellent! Let him march, ſaid the " king, in a rage, I will march too, and pluck him up by the roots!

" Oh! ſaid the miniſter, ſmiling, let not an idle noiſe be made, like " that of a wintry cloud: a great prince takes care not to make known " the force or weakneſs of a ſtranger.

" Beſides:

" Let not a prince aſſemble together a number of deſtroyers: even a " proud ſerpent has been deſtroyed by a multitude of little inſects. " O king! why ſhould thou go without having concluded a peace? If " I march, the *Chacra* will aſſail my rear.

" Yet farther:

" He who knows not the firſt principle, and firſt cauſe; who is, be- " ſides, in ſubjection to wrath; is tormented like a fool: as the Brahmen " was who killed the ichneumon.

" How, ſaid the peacock, happened that?

" There is, anſwered *Duradurſin*, in the city of *Ujjayani*, a Brahmen " named *Madava*, who had a wife, who having ſtationed him to watch " their only daughter, an infant, went to bathe herſelf, in adoration of " *Shaſhti (Lucina)*; ſoon after the raja ſent for the Brahmen, to perform " the ceremonies of the *Párvana Shraddhà* (or rites) to all his anceſtors; " and he, ſpying another Brahmen, thus thought, on account of his

 " poverty,

" poverty, within his mind: If I go not ſpeedily, ſome other, having " heard of this, will procure the *Shraddhà*.

" As it is ſaid:

" If we take not ſoon, give not ſoon, perform not ſoon, time gives " the benefit of it to another.

" What muſt be done? Yet there is no other perſon at home to take " care of the child. What then can I do? Why ſhould I not depart, " having committed the care of my child to the ichneumon, whom I " have ſo long cheriſhed, and who is not diſtinguiſhed from my own " offspring? Having done ſo, he departed. Soon after which, the " ichneumon ſeeing a black ſerpent near the child, killed him, and cut " him in pieces; and then ſeeing the Brahmen returning, went haſtily, " his mouth and paws being ſmeared with blood, and fell at the feet of " his maſter; who, ſeeing him in that condition, and ſaying to himſelf: " He has devoured my child! ſtamped on him, and killed him. After- " wards, going into his houſe, he ſaw his child aſleep, and the dead ſnake " lying by him; at looking, therefore, at the ichneumon, his benefactor, " he was exceedingly afflicted. Thence, I ſay: He who knows not the " cauſe and principle of actions, &c.

" Again:

" Luſt, wrath, covetouſneſs, extreme joy, extreme grief, and ebriety: " he who forſakes theſe ſix, becomes happy by that deſertion.

" The king ſaid: This, O my miniſter! is indubitable. Yes, yes, " ſaid he.

" For:

" For:

" Recollection of the uses of others, judgment, certain knowledge, " firmness, secrecy, are the principal qualities of a counsellor.

" Yet more:

" Let not a man perform an act hastily; want of circumspection is a " great cause of danger: wealth pays homage, even voluntarily, to a " man who acts with caution.

" Therefore, if my advice be now followed, peace must be concluded.

" Since:

" If there be even four remedies for an evil, mentioned by the wise, in " concluding peace; the only fruit of them all, that deserves to be " reckoned, is: Peace through prosperity, grounded on cordial affection.

" How, said the king, can this be speedily attained?

" Sir, answered he, it will be soon completed.

" For:

" Like an earthen pot, a bad man is easily broken, and cannot easily " be restored to his former situation: but a virtuous man, like a vase of " gold, is broken with difficulty, and easily repaired.

" Yet more:

" A fool enjoys pleasure; but he who distinguishes, with judgment, " enjoys

" enjoys more delight. Even *Brahma* cannot control a man who has " not even a particle of divine knowledge.

" Now, that *Servajnya*, the king's minifter, is fo called by excellence; " as I knew before from the difcourfe of *Meghaverna*; and from having " feen what he has done:

" Since:

" Thofe who are endued with good qualities, and are out of fight, " are always judged by their actions: the acts of the virtuous are, there-" fore, demonftrated by their fruits.

" The king here faid: This dialogue is of no ufe; let that which " thou judgeft beft, be done.

" The great minifter, the vulture, having given this counfel, went to " the centre of *Hiranyagharbha*'s caftle; and a meffenger carried the " news of his arrival to the king, faying: O, fir! the great minifter of " *Chitraverna* is come hither, for the purpofe of making peace.

" The gander, hearing this intelligence, faid: O, my counfellor! is " another ill-defigning perfon again come hither?

" There is no caufe for fear, anfwered *Servajnya*, fmiling, fince it is " *Duradurfin*, who is worthy of the greateft confidence: and although " this is often the bufinefs of the ill-intentioned, yet no apprehenfion " fhould now be raifed. Since: In a pool, which reflects the image of " many ftars, a wife gander was in a moment deceived. Being defirous " of feafting on the cumuda plant, in the night feafon; afterwards, in " the day-time, he took a white flower for a ftar, and attempted not to " bite it. Thus, men who have fallen into difappointments, expect it " even from reality.

" Therefore,

" Therefore, O king ! as far as you are able, let a present of jewels, " and their accompaniments, be prepared in honour to him. This being " determined, the vulture being introduced by the *Chacra* with great re- " spect, through the door of the palace, was presented to the king, and " placed on a magnificent seat.

" The *Chacravaca* then spoke : O great minister ! enjoy this realm ac- " cording to thy desire ; it is at thy service. Even so, said the king. Be " it so, said the vulture ; but now an abundance of words will be useless.

" Since :

" Let a man purchase a miser with money ; a haughty man with joined " hand, and reverence ; a fool with promises ; a wise man with truth.

" Besides :

" With affection win a friend, and a kinsman ; thy wife, and servants, " with gifts and honours ; with great actions, the powerful !

" Therefore, at present, let *Chitraverna* make peace, and be dismissed. " Declare, said the *Chacra*, on what terms peace is to be concluded.

" The gander asked : How many sorts of peace are there ? I will " innumerate them, said the vulture :

" Hear :

" 1. When a prince is engaged in war with a stronger prince, there is " no other remedy.

" 2. When

" 2. When he is in danger, let him ſeek peace, and reſerve his exer-
" tions for another occaſion.

" *Capála*, *Upahara*, *Santana*, *Sangata*, *Upanyaſa*, *Praticara*, *Sanyoga*, " *Purſhántara*, *Adriſta-punya*, *Adiſhtá*, *Atmaviſhe*, *Upagraha*, *Pericraya*, " *Uch'lanna*, *Parabhuſhana*, and *Scandapanya*; theſe ſixteen kinds of " peace are celebrated. Thus have they, who are learned in peace- " making, named ſixteen ſorts of peace.

" *Capála*, is ſimply a ceſſation of hoſtilities.

" *Upahara*, is called that which is concluded by preſents.

" *Santana*, is known by having firſt given up one of the family.

" *Sangata*, is named that peace which is founded on friendſhip be- " tween good men. It is likewiſe called *Cánchana*, or golden.

" *Upanyaſa*, proſperity through wealth being given; and thence peace " concluded by thoſe empowered to make it.

" *Praticara*, through benefits conferred and received.

" *Sanyoga*, where the advantages are equal.

" *Purſhántara*, when two monarchs meet face to face in battle; the " wealth of one procures peace.

" *Adriſta-punya*, when after peace, thus bought, the foe joins in a " treaty.

" *Adiſhtá*, where land is given on one part.

" *Atmaviſhe*, that concluded with a king's own forces.

" *Upagraha*, for the preſervation of life.

" *Pericraya*, by a part or the whole of the treaſure.

" *Uch'lanna*, by giving the moſt excellent lands.

" *Parabhuſhana*, by giving up the fruit ariſing from the whole terri- " tory.

" *Scandapanya*, where only a part of the produce of the land is given " up.

" Hear

" Hear now, ſaid the *Chacra* :

" Whether this perſon be of my tribe, or of another, is a conſidera-
" tion of the narrow-minded ; but that of the great-minded is to hold all
" the world related to them.

" Again :

" He is truly wiſe, who conſiders another's wife as his mother, an-
" other's gold as mere clay, and all other creatures as himſelf.

" You, ſaid the king, are both eminently wiſe ; adviſe me, therefore,
" what is to be done. What ſays the poet ? ſaid *Duradurſin*.

" Who would act unjuſtly for the ſake of a body, which, either to-
" day, or to-morrow, may be deſtroyed by anxiety, or diſeaſe ?

" The life of animals is tremulons, as the reflection of the moon in
" water ; let him then, who, knowing it to be uncertain, perform actions
" which will hereafter be beneficial to him.

" Having ſeen this world, which periſhes in an inſtant, reſembling the
" vapour in a deſert, let him ſeek the ſociety of the virtuous ; both for
" the ſake of his religious duty, and of his own happineſs. By my ad-
" vice, therefore, let us practiſe theſe rules.

" Since :

" If truth be placed in a balance with a thouſand ſacrifices of horſes,
" truth will outweigh a thouſand ſacrifices.

" Let both princes, having firſt ſworn in the name of truth, conclude
" that ſort of peace which is named *Sangata*. Be it ſo, ſaid *Servajrija*.
" The

" The miniſter *Duradurſin* was then honoured with gifts of jewels, " veſts, and rich ornaments; and, accompanied by the *Charavaca*, went " in great joy to his king; who, being perſuaded by his diſcourſe, and " having firſt ſhewn great reſpect, and offered many preſents to *Hiranya-* " *garbha*, conſented to the peace, and ſent his repreſentative, and friend, " to the caſtle of the gander.

" *Duradurſin* then ſpoke thus: The fruits of proſperous concluſion are " now attained, and the king *Chitraverna* will return to his own realm " of the mountain of *Vindhya*.

" Each party then retired to his proper ſtation, and each obtained the " object which his heart chiefly deſired.

" Now," ſaid *Viſhnuſarman*, " on what elſe ſhall I diſcourſe?"

" We comprehend," anſwered the princes, " this perfect ſyſtem of " royal duties, through thy favour, and are made happy, O venerable " ſage! by thy knowledge."

" Let us now, then," replied the philoſopher, " attend to our religious " duties; and this only ſhall be added:

" Let all kings make peace when they have gained a victory; and " may their joy be perpetual! May the virtuous live without misfor- " tune! and may the celebrity of thoſe who have performed good ac- " tions, continue for ever encreaſing! May Virtue diſplay her beauties, " like a beloved miſtreſs, on your boſoms! May ſhe kiſs your lips, and " live with you long attended by the fame of univerſal benevolence! " And may the burden-bearing earth, attended with freſh ſeaſons, re- " main for your gratification!"

THE

THE

# ENCHANTED FRUIT;

OR,

## *THE HINDU WIFE:*

### AN ANTEDILUVIAN TALE.

WRITTEN IN THE PROVINCE OF BAHAR.

# THE ENCHANTED FRUIT;

OR,

## *THE HINDU WIFE.*

'O LOVELY age*, by *Brahmens* fam'd
' Pure *Setye Yug*† in *Sanſcrit* nam'd!
' Delightful! Not for cups of *gold*,
' Or wives *a thouſand centuries* old;
' Or men, degenerate now and ſmall,
' Then *one and twenty cubits* tall:
' Not that plump *cows* full udders bore,
' And bowls with *holy curd*‡ ran o'er;
' Not that, by Deities defended
' *Fiſh, Boar, Snake, Lion*§, heav'n-deſcended,
' Learn'd *Pendits*, now grown ſticks and clods,
' Redde faſt the *Nagry of the Gods*‖
' And laymen, faithful to *Narayn***
' Believ'd in *Brahmá*'s myſtick ſtrain††;

* A parody on the Ode in *Taſſo*'s *Aminta*, beginning, *O bella étá dell' oro!*

† The *Golden Age* of the *Hindus*.

‡ Called *Jogbrát*, the food of CRISHNA in his infancy and youth.

§ The four firſt *Avatárs*, or *Incarnations* of the *Divine Spirit*.

‖ The *Sanſcrit*, or *Sengscrit*, is written in letters ſo named.

** *Narayn* or *Náráyan*, the *ſpirit* of GOD.

†† The *Vayds*, or *Sacred Writings* of *Brahma*, called *Rig*, *Sám*, and *Yejar*: doubts have been raiſed concerning the authority of the *fourth*, or *At'herven*, *Vayd*.

' Not

'Not that all Subjects ſpoke plain truth,
'While *Rajas* cheriſh'd eld and youth,
'No—yet delightful times! becauſe
'*Nature* then reign'd, and *Nature*'s *Laws*;
'When females of the ſofteſt kind
'Were unaffected, unconfin'd;
'And this grand rule from none was hidden*;
'WHAT PLEASETH, HATH NO LAW FORBIDDEN.'

Thus, with a lyre in *India* ſtrung,
*Aminta*'s poet would have ſung;
And thus too, in a modeſt way,
All virtuous males will ſing or ſay:
But ſwarthy nymphs of *Hinduſtan*
Look deeper than ſhort-ſighted man,
And thus, in ſome poetick chime,
Would ſpeak with reaſon, as with rhyme:
'O lovelier age, by *Brahmens* fam'd,
'Gay *Dwápar Yug*† in *Sanſcrit* nam'd!
'Delightful! though impure with *braſs*
'In many a green ill-ſcented maſs;
'Though huſbands, but *ſev'n* cubits high,
'Muſt in *a thouſand ſummers* die;
'Though, in the lives of dwindled men,
'*Ten* parts were Sin; Religion, *ten*;
'Though *cows* would rarely fill the pail,
'But made th' expected creambowl fail;
'Though lazy *Pendits* ill could read
'(No care of ours) their *Yejar Veid*;

* "Se piace, ei lice." *Taſſo.*
† The *Brazen Age*, or that in which Vice and Virtue were in *equal* proportion.

'Though

'Though *Rajas* look'd a little proud,
'And *Ranies* rather ſpoke too loud;
'Though *Gods*, diſplay'd to mortal view
'In mortal forms, were only *two*;
'(Yet Crishna*, ſweeteſt youth, was one,
'*Criſhna*, whoſe cheeks outblaz'd the ſun)
'Delightful, ne'ertheleſs! becauſe
'Not bound by vile unnatural laws,
'Which curſe this age from *Cáley*† nam'd,
'By ſome baſe woman-hater fram'd.
'Prepoſt'rous! that one biped vain
'Should drag ten houſe-wives in his train,
'And ſtuff them in a gaudy cage,
'Slaves to weak luſt or potent rage!
'Not ſuch the *Dwáper Yug!* oh then
'One buxom dame might wed five men.'

True Hiſtory, in ſolemn terms,
This Philoſophick lore confirms;
For *India* once, as now cold *Tibet* ‡,
A groupe unuſual might exhibit,
Of ſev'ral huſbands, free from ſtrife,
Link'd fairly to a ſingle wife!
Thus Botaniſts, with eyes acute
To ſee prolifick duſt minute,
Taught by their learned northern *Brahmen* §
To claſs by *piſtil* and by *ſtamen*,

* The *Apollo* of *India*.
† The *Earthen* Age, or that of *Caly* or *Impurity*: this verſe alludes to *Cáley*, the *Hecate* of the *Indians*.
‡ See the accounts publiſhed in the *Philoſophical Tranſactions* from the papers of Mr. *Bogle*.
§ *Linnæus*.

Produce

Produce from nature's rich dominion
Flow'rs *Polyandrian Monogynian*,
Where embryon bloſſoms, fruits, and leaves
*Twenty* prepare, and ONE receives.

But, leſt my word ſhould nought avail,
Ye Fair, to no unholy tale
Attend. * *Five thouſand* years † ago,
As annals in *Benares* ſhow,
When *Pándu* chiefs with *Curus* fought ‡,
And each the throne imperial ſought,
Five brothers of the regal line
Blaz'd high with qualities divine.
The firſt a prince without his peer,
Juſt, pious, lib'ral *Yudhiſhteir* §;
Then *Erjun*, to the baſe a rod,
An Hero favour'd by a *God* ‖;
*Bheima*, like mountain-leopard ſtrong,
Unrival'd in th' embattled throng,
Bold *Nacul*, fir'd by noble ſhame
To emulate fraternal fame;

* The ſtory is told by the *Jeſuit* BOUCHET, in his Letter to HUET, Biſhop of *Avranches*.

† A round number is choſen; but the *Caly Yug*, a little before which *Criſhna* diſappeared from this world, began *four thouſand, eight hundred,* and *eighty-four* years ago, that is, according to our Chronologiſts, *ſeven hundred* and *forty ſeven* before the flood; and by the calculation of *M. Bailly*, but *four hundred* and *fifty-four* after the foundation of the *Indian* empire.

‡ This war, which *Criſhna* fomented in favour of the *Pandu Prince*, *Yudhiſhtir*, ſupplied *Vyás* with the ſubject of his noble Epick Poem, *Mahábhárat*.

§ This word is commonly pronounced with a ſtrong accent on the laſt letter, but the preceding vowel is ſhort in *Sengscrit*. The prince is called on the Coaſt *Dherme Ráj*, or Chief Magiſtrate.

‖ The *Geita*, containing *Inſtructions* to *Erjun*, was compoſed by *Criſhna*, who peculiarly diſtinguiſhed him.

And

And *Sehdeo*, flufh'd with manly grace,
Bright virtue dawning in his face:
To thefe a dame devoid of care,
Blythe *Draupady*, the debonair,
Renown'd for beauty, and for wit,
In wedlock's pleafing chain was knit *.

It fortun'd, at an idle hour,
This five-mal'd fingle-femal'd flow'r
One balmy morn of fruitful May
Through vales and meadows took its way.
A low thatch'd manfion met their eye
In trees umbrageous bofom'd high;
Near it (no fight, young maids, for you)
A temple rofe to *Mahadew* †.
A thorny hedge and reedy gate
Enclos'd the garden's homely ftate;
Plain in its neatnefs: thither wend
The princes and their lovely friend.
Light-pinion'd gales, to charm the fenfe,
Their odorif'rous breath difpenfe;
From *Béla*'s ‡ pearl'd, or pointed, bloom,
And *Málty* rich, they fteal perfume:
There honey-fcented *Singarhár*,
And *Júhy*, like a rifing ftar,

* *Yudhifhtir* and *Draupady*, called *Drobada* by *M. Sonnerat*, are deified on the Coaft; and their feaft, of which that writer exhibits an engraving, is named the *Proceffion of Fire*, becaufe fhe paffed *every year* from one of her *five* hufbands to another, after a folemn purification by that element. In the *Bháfhá* language, her name is written, DRÓPTY.

† The *Indian* JUPITER.

‡ The varieties of *Bela*, and the *three* flowers next mentioned, are beautiful fpecies of *Jafmin*.

Strong

Strong *Chempá*, darted by *Cámdew*,
And *Mulſery* of paler hue,
*Cayora**, which the *Ranies* wear
In tangles of their ſilken hair,
Round † *Bábul*-flow'rs, and *Gúlachein*
Dyed like the ſhell of Beauty's Queen,
Sweet *Mindy* ‡ preſs'd for crimſon ſtains,
And ſacred *Tulſy* §, pride of plains,
With *Séwty*, ſmall unbluſhing roſe,
Their odours mix, their tints diſcloſe,
And, as a gemm'd tiara, bright,
Paint the freſh branches with delight.

One tree above all others tower'd
With ſhrubs and ſaplings cloſe imbower'd,
For every blooming child of Spring
Paid homage to the verdant King:
Aloft a ſolitary fruit,
Full ſixty cubits from the root,
Kiſs'd by the breeze, luxuriant hung,
Soft chryſolite with em'ralds ſtrung.
'Try we, ſaid *Erjun* indiſcreet,
'If yon proud fruit be ſharp or ſweet;
'My ſhaft its parent ſtalk ſhall wound:
'Receive it, ere it reach the ground.'

Swift as his word, an arrow flew:
The dropping prize beſprent with dew

* The *Indian* Spikenard.

† The *Mimoſa*, or true *Acacia*, that produces the *Arabian* Gum.

‡ Called *Alhhinná* by the *Arabs*.

§ Of the kind called *Ocymum*.

The

The brothers, in contention gay,
Catch, and on gather'd herbage lay.

That inſtant ſcarlet lightnings flaſh,
And *Jemna*'s waves her borders laſh,
*Criſhna* from *Swerga*'s * height deſcends,
Obſervant of his mortal friends:
Not ſuch, as in his earlieſt years,
Among his wanton cowherd peers,
In *Gocul* or *Brindáben*'s † glades,
He ſported with the dairy-maids;
Or, having pip'd and danc'd enough,
Clos'd the briſk night with *blindman's-buff* ‡;
(Liſt, antiquaries, and record
This paſtime of the *Gopia*'s Lord §)
But radiant with ethereal fire:
*Nared* alone could bards inſpire
In lofty *Slokes* || his mien to trace,
And unimaginable grace.
With human voice, in human form,
He mildly ſpake, and huſh'd the ſtorm:
'O mortals, ever prone to ill!
'Too raſhly *Erjun* prov'd his ſkill.
'Yon fruit a pious *Muny* ** owns,
'Aſſiſtant of our heav'nly thrones.

* The heaven of *Indra*, or the Empyreum.

† In the diſtrict of *Mat'hura*, not far from *Agra*.

‡ This is told in the *Bhágawat*.

§ Gopy Nat'h, a title of *Criſhna*, correſponding with *Nymphagetes*, an epithet of *Neptune*.

|| Tetraſticks without rhyme.

** An inſpired Writer: *twenty* are ſo called.

'The golden pulp, each month renew'd,
'Supplies him with ambrofial food.
'Should he the daring archer curfe,
'Not *Mentra* * deep, nor magick verfe,
'Your gorgeous palaces could fave
'From flames, your embers, from the wave†."

The princes, whom th' immod'rate blaze
Forbids their fightlefs eyes to raife,
With doubled hands his aid implore,
And vow fubmiffion to his lore.
'One remedy, and fimply one,
'Or take, faid he, or be undone:
'Let each his crimes or faults confefs,
'The greateft name, omit the lefs;
'Your actions, words, e'en thoughts reveal;
'No part muft *Draupady* conceal:
'So fhall the fruit, as each applies
'The faithful charm, *ten cubits* rife;
'Till, if the dame be frank and true,
'It join the branch, where late it grew.'
He fmil'd, and fhed a tranfient gleam;
Then vanifh'd, like a morning dream.

Now, long entranc'd, each waking brother
Star'd with amazement on another,
Their confort's cheek forgot its glow,
And pearly tears began to flow;

* Incantation.

† This will receive illuftration from a paffage in the *Ramayen*: 'Even he, who cannot be flain by the 'ponderous arms of *Indra*, nor by thofe of *Cály*, nor by the terrible *Checra* (or *Difcus*), of *Vifhnu*, fhall 'be deftroyed, if a *Brahmen* execrate him, *as if he were confumed by fire.*'

When

When *Yudiſhteir*, high-gifted man,
His plain confeſſion thus began.

‘ Inconſtant fortune's wreathed ſmiles,
‘ *Duryódhen*'s rage, *Duryódhen*'s wiles,
‘ Fires rais'd for this devoted head,
‘ E'en poiſon for my brethren ſpread,
‘ My wand'rings through wild ſcenes of wo,
‘ And perſecuted life, you know.
‘ Rude waſſailers defil'd my halls,
‘ And riot ſhook my palace-walls,
‘ My treaſures waſted. This and more
‘ With reſignation calm I bore;
‘ But, when the late-deſcending god
‘ Gave all I wiſh'd with ſoothing nod,
‘ When, by his counſel and his aid,
‘ Our banners danc'd, our clarions bray'd
‘ (Be this my greateſt crime confeſs'd),
‘ *Revenge* ſate ruler in my breaſt:
‘ I panted for the tug of arms,
‘ For ſkirmiſh hot, for fierce alarms;
‘ Then had my ſhaft *Duryódhen* rent,
‘ This heart had glow'd with ſweet content.’

He ceas'd: the living gold upſprung,
And from the bank *ten* cubits hung.

Embolden'd by this fair ſucceſs,
Next *Erjun* haſten'd to confeſs:
‘ When I with *Aſwatthàma* fought;
‘ My nooſe the fell aſſaſſin caught;

‘ My

'My ſpear transfix'd him to the ground:
'His giant limbs firm cordage bound:
'His holy thread extorted awe
'Spar'd by religion and by law;
'But, when his murd'rous hands I view'd
'In blameleſs kindred gore imbued,
'Fury my boiling boſom ſway'd,
'And *Rage* unſheath'd my willing blade:
'Then, had not *Criſhna*'s arm divine
'With gentle touch ſuſpended mine,
'This hand a *Brahmen* had deſtroy'd,
'And vultures with his blood been cloy'd.'

The fruit, forgiving *Erjun*'s dart,
*Ten* cubits roſe with eager ſtart.

Fluſh'd with ſome tints of honeſt ſhame,
*Bheima* to his confeſſion came:
''Twas at a feaſt for battles won
'From *Dhriteráſhtra*'s guileful ſon,
'High on the board in vaſes pil'd
'All vegetable nature ſmil'd:
'Proud *Anaras** his beauties told,
'His verdant crown and ſtuds of gold,
'To *Dallim* †, whoſe ſoft rubies laugh'd
'Burſting with juice, that gods have quaff'd;
'Ripe *Kellas*‡ here in heaps were ſeen,
'*Kellas*, the golden and the green,
'With *Ambas* § priz'd on diſtant coaſts,
'Whoſe birth the fertile *Ganga* boaſts:

* Ananas. † Pomegranate. ‡ Plantains. § Mangos.

'(Some

‘ (Some gleam like ſilver, ſome outſhine
‘ Wrought ingots from *Beſoara*’s mine):
‘ *Corindas* there, too ſharp alone,
‘ With honey mix’d, impurpled ſhone;
‘ *Talſans* * his liquid cryſtal ſpread
‘ Pluck’d from high *Tara*’s tufted head;
‘ Round *Jamas* † delicate as fair,
‘ Like roſe-water perfum’d the air;
‘ Bright ſalvers high-rais’d *Comlas* ‡ held
‘ Like topazes, which *Amrit* § ſwell’d;
‘ While ſome delicious *Attas* || bore,
‘ And *Catels* ** warm, a ſugar’d ſtore;
‘ Others with *Béla*’s grains were heap’d,
‘ And mild *Papayas* honey-ſteep’d;
‘ Or ſweet *Ajeírs* †† the red and pale,
‘ Sweet to the taſte and in the gale.
‘ Here mark’d we pureſt baſons fraught
‘ With ſacred cream and fam’d *Joghrát*;
‘ Nor ſaw we not rich bowls contain
‘ The *Chawla*’s ‡‡ light nutritious grain,
‘ Some virgin-like in native pride,
‘ And ſome with ſtrong *Haldea* §§ dyed,
‘ Some taſteful to dull palates made
‘ If *Merich* |||| lend his fervent aid,
‘ Or *Langa* *** ſhap’d like od’rous nails,
‘ Whoſe ſcent o’er groves of ſpice prevails,
‘ Or *Adda* †††, breathing gentle heat,
‘ Or *Joutery* ‡‡‡ both warm and ſweet.

* Palmyra-fruit. † Roſe-apples. ‡ Oranges. § The Hindu Nectar. || Cuſtard-apples.
** Jaik-fruit. †† Guayavas. ‡‡ Rice. §§ Turmerick. |||| Indian Pepper.
*** Cloves. ††† Ginger. ‡‡‡ Mace.

‘ *Supiary*

'*Supiary* * next (in *Pána* † chew'd,
'And *Catha* ‡, with ſtrong pow'rs endued,
'Mix'd with *Elachy*'s § glowing ſeeds,
'Which ſome remoter climate breeds),
'Near *Jeifel* || ſate, like *Jeifel* fram'd
'Though not for equal fragrance nam'd:
'Laſt, *Náryal* **, whom all ranks eſteem,
'Pour'd in full cups his dulcet ſtream:
'Long I ſurvey'd the doubtful board
'With each high delicacy ſtor'd;
'Then freely gratified my ſoul,
'From many a diſh, and many a bowl,
'Till health was laviſh'd, as my time:
'*Intemp'rance* was my fatal crime.'

Uproſe the fruit; and now *mid-way*
Suſpended ſhone like blazing day.

*Nacal* then ſpoke: (a bluſh o'erſpread
His cheeks, and conſcious droop'd his head):
'Before *Duryódhen*, ruthleſs king,
'Taught his fierce darts in air to ſing,
'With bright-arm'd ranks, by *Criſhna* ſent,
'Elate from *Indrapreſt* †† I went
'Through *Eaſtern* realms; and vanquiſh'd all
'From rough *Almóra* to *Nipál*.
'Where ev'ry manſion, new or old,
'Flam'd with Barbarick gems and gold.
'Here ſhone with pride the regal ſtores
'On iv'ry roofs, and cedrine floors;

* Areca-nut. † Betel-leaf. ‡ What we call Japan-earth. § Cardamums.
|| Nutmeg. ** Coconut. †† Dehly.

'There

'There diadems of price unknown
'Blaz'd with each all-attracting ſtone;
'Firm diamonds, like fix'd honour true,
'Some pink, and ſome of yellow hue,
'Some black, yet not the leſs eſteem'd;
'The reſt like tranquil *Jemna* gleam'd,
'When in her bed the *Gopia* lave
'Betray'd by the pellucid wave.
'Like raging fire the ruby glow'd,
'Or ſoft, but radiant, water ſhow'd;
'Pure amethyſts, in richeſt ore
'Oft found, a purple veſture wore;
'Sapphirs, like yon etherial plain;
'Em'ralds, like *Peipel** freſh with rain;
'Gay topazes, tranſlucent gold;
'Pale chryſolites of ſofter mould;
'Fam'd beryls, like the ſurge marine,
'Light-azure mix'd with modeſt green;
'Refracted ev'ry varying dye,
'Bright as yon bow, that girds the ſky.
'Here opals, which all hues unite,
'Diſplay'd their many-tinctur'd light,
'With turcoiſes divinely blue
'(Though doubts ariſe, where firſt they grew,
'Whether chaſte elephantine bone
'By min'rals ting'd, or native ſtone),
'And pearls unblemiſh'd, ſuch as deck
'*Bhavány*'s † wriſt or *Lecſhmy*'s ‡ neck.
'Each caſtle ras'd, each city ſtorm'd,
'Vaſt loads of pillag'd wealth I form'd,

* A ſacred tree like an *Aſpin*. † The *Indian* VENUS. ‡ The *Indian* CERES.

'Not

'Not for my coffers; though they bore,
'As you decreed, my lot and more.
'Too pleas'd the brilliant heap I ſtor'd,
'Too charming ſeem'd the guarded hoard:
'An odious vice this heart aſſail'd;
Baſe *Av'rice* for a time prevail'd.

Th' enchanted orb *ten* cubits flew,
Strait as the ſhaft, which *Erjun* drew.

*Sehdio*, with youthful ardour bold,
Thus, penitent, his failings told:
'From clouds, by folly rais'd, theſe eyes
'Experience clear'd, and made me wiſe;
'For, when the craſh of battle roar'd,
'When death rain'd blood from ſpear and ſword,
'When, in the tempeſt of alarms,
'Horſe roll'd on horſe, arms claſh'd with arms,
'Such acts I ſaw by others done,
'Such perils brav'd, ſuch trophies won,
'That, while my patriot boſom glow'd,
'Though ſome faint ſkill, ſome ſtrength I ſhow'd,
'And, no dull gazer on the field,
'This hero ſlew, that forc'd to yield,
'Yet, meek humility, to thee,
'When *Erjun* fought, low ſank my knee:
'But, ere the din of war began,
'When black'ning cheeks juſt mark'd the man,
'Myſelf invincible I deem'd,
'And great, without a rival, ſeem'd.
'Whene'er I ſought the ſportful plain,
'No youth of all the martial train

'With

'With arm ſo ſtrong or eye ſo true
'The *Checra*'s * pointed circle threw;
'None, when the poliſh'd cane we bent,
'So far the light-wing'd arrow ſent;
'None from the broad elaſtick reed,
'Like me, gave *Agnyaſtra* † ſpeed,
'Or ſpread its flames with nicer art
'In many an unextinguiſh'd dart;
'Or, when in imitated fight
'We ſported till departing light,
'None ſaw me to the ring advance
'With falchion keen or quiv'ring lance,
'Whoſe force my rooted ſeat could ſhake,
'Or on my ſteed impreſſion make:
'No charioteer, no racer fleet
'O'ertook my wheels or rapid feet.
'Next, when the woody heights we ſought,
'With madd'ning elephants I fought:
'In vain their high-priz'd tuſks they gnaſh'd;
'Their trunked heads my *Geda* ‡ maſh'd.
'No buffalo, with phrenſy ſtrong,
'Could bear my clatt'ring thunder long:
'No pard or tiger, from the wood
'Reluctant brought, this arm withſtood.
'*Pride* in my heart his manſion fix'd,
'And with pure drops black poiſon mix'd.

Swift roſe the fruit, exalted now
*Ten* cubits from his natal bough.

* A radiated metalline ring, uſed as a miſſile weapon.
† Fire-arms, or rockets, early known in *India*.
‡ A mace, or club.

Fair *Draupady*, with ſoft delay,
Then ſpake: 'Heav'n's mandate I obey;
'Though nought, eſſential to be known,
'Has heav'n to learn, or I to own.
'When ſcarce a damſel, ſcarce a child,
'In early bloom your handmaid ſmil'd,
'*Love of the World* her fancy mov'd,
'Vain pageantry her heart approv'd:
'Her form, ſhe thought, and lovely mien,
'All muſt admire, when all had ſeen:
'A thirſt of pleaſure and of praiſe
'(With ſhame I ſpeak) engroſs'd my days;
'Nor were my night-thoughts, I confeſs,
'Free from ſolicitude for dreſs;
'How beſt to bind my flowing hair
'With art, yet with an artleſs air
'(My hair, like muſk in ſcent and hue;
'Oh! blacker far and ſweeter too);
'In what nice braid or gloſſy curl
'To fix a diamond or a pearl,
'And where to ſmooth the love-ſpread toils
'With nard or jaſmin's fragrant oils;
'How to adjuſt the golden *Teic**,
'And moſt adorn my forehead ſleek;
'What *Condals* † ſhould emblaze my ears,
'Like *Seita*'s waves ‡ or *Seita*'s tears §;
'How elegantly to diſpoſe
'Bright circlets for my well-form'd noſe;

* Properly *Teica*, an ornament of gold, placed above the noſe. † Pendents.

‡ SEITA' CUND, or the *Pool* of *Seitá*, the wife of RAM, is the name given to the wonderful ſpring at *Mengeir*, with boiling water of exquiſite clearneſs and purity.

§ Her tears, when ſhe was made captive by the giant *Ráwan*.

'With

'With ſtrings of rubies how to deck,
'Or em'rald rows, my ſtately neck,
'While ſome that ebon tow'r embrac'd,
'Some pendent ſought my ſlender waiſt;
'How next my purfled veil to chuſe
'From ſilken ſtores of varied hues;
'Which would attract the roving view,
'Pink, violet, purple, orange, blue;
'The lovelieſt mantle to ſelect,
'Or unembelliſh'd or bedeck'd;
'And how my twiſted ſcarf to place
'With moſt inimitable grace;
'(Too thin its warp, too fine its woof,
'For eyes of males not beauty-proof);
'What ſkirts the mantle beſt would ſuit,
'Ornate with ſtars or tiſſued fruit,
'The flow'r-embroider'd or the plain
'With ſilver or with golden vein;
'The *Chury** bright, which gayly ſhows
'Fair objects, aptly to compoſe;
'How each ſmooth arm and each ſoft wriſt
'By richeſt *Coſecs*† might be kiſs'd;
'While ſome, my taper ankles round,
'With ſunny radiance ting'd the ground.
'O waſte of many a precious hour!
'O *Vanity*, how vaſt thy pow'r!'

Cubits twice four th' ambroſial ſlew,
Still from its branch disjoin'd by *two*.

* A ſmall mirror worn in a ring. † Bracelets.

Each

Each husband now, with wild suprise,
His compeers and his consort eyes;
When *Yudishteir:* 'Thy female breast
'Some faults, perfidious, hath suppress'd.
'Oh! give the close-lock'd secret room,
'Unfold its bud, expand its bloom;
'Lest, sinking with our crumbled halls,
'We see red flames devour their walls.'
Abash'd, yet with a decent pride,
Firm *Draupady* the fact denied;
Till, through an arched alley green,
The limit of that sacred scene,
She saw the dreaded *Muny* go
With steps majestically slow;
Then said: (a stifled sigh she stole,
And show'd the conflict of her soul
By broken speech and flutt'ring heart)
'One trifle more I must impart:
'A *Brahmen* learn'd, of pure intent
'And look demure, one morn you sent,
'With me, from *Sanscrit* old, to read
'Each high *Purán** each holy *Veid.*
'His thread, which *Brehmá*'s lineage show'd,
'O'er his left shoulder graceful flow'd;
'Of *Crishna* and his nymphs he redde,
'How with nine maids the dance he led;
'How they ador'd, and he repaid
'Their homage in the sylvan shade.
'While this gay tale my spirits cheer'd,
'So keen the *Pendit*'s eyes appear'd,

* A Mythological and Historical Poem.

'So

'So ſweet his voice—a blameleſs fire
'This boſom could not but inſpire.
'Bright as a God he ſeem'd to ſtand:
'The rev'rend volume left his hand,
'With mine he preſs'd'—With deep deſpair
Brothers on brothers wildly ſtare:
From *Erjun* flew a wrathful glance;
Tow'rd them they ſaw their dread advance;
Then, trembling, breathleſs, pale with fear,
'Hear, ſaid the matron, calmly hear!
'By *Tulſy*'s leaf the truth I ſpeak—
'The *Brahmen* ONLY KISS'D MY CHEEK.'

Strait its full height the wonder roſe,
Glad with its native branch to cloſe.

Now to the walk approach'd the Sage
Exulting in his verdant age:
His hands, that touch'd his front, expreſs'd
Due rev'rence to each princely gueſt,
Whom to his rural board he led
In ſimple delicacy ſpread,
With curds their palates to regale,
And cream-cups from the *Gopia*'s pail.

Could you, ye Fair, like this black wife,
Reſtore us to primeval life,
And bid that apple, pluck'd for *Eve*
By him, who might all wives deceive,
Hang from its parent bough once more
Divine and perfect, as before,

Would

Would you confeſs your little faults?
(Great ones were never in your thoughts);
Would you the ſecret wiſh unfold,
Or in your heart's full caſket hold?
Would you diſcloſe your inmoſt mind,
And ſpeak plain truth, to bleſs mankind?

'What! ſaid the Guardian of our realm,
With waving creſt and fiery helm,
'What! are the fair, whoſe heav'nly ſmiles
'Rain glory through my cheriſh'd iſles,
'Are they leſs virtuous or leſs true
'Than *Indian* dames of ſooty hue?
'No, by theſe arms. The cold ſurmiſe
'And doubt injurious vainly riſe.
'Yet dares a bard, who better knows,
'This point diſtruſtfully propoſe;
'Vain fabler now! though oft before
'His harp has cheer'd my ſounding ſhore.'

With brow auſtere the martial maid
Spoke, and majeſtick trod the glade:
To that fell cave her courſe ſhe held,
Where *Scandal*, bane of mortals, dwell'd.
Outſtretch'd on filth the peſt ſhe found,
Black fetid venom ſtreaming round:
A gloomy light juſt ſerv'd to ſhow
The darkneſs of the den below.
*Britannia* with reſiſtleſs might
Soon dragg'd him from his darling night:
The ſnakes, that o'er his body curl'd,
And flung his poiſon through the world,

Confounded

Confounded with the flaſh of day,
Hiſs'd horribly a helliſh lay.
His eyes with flames and blood ſuffus'd,
Long to th' ethereal beam unus'd,
Fierce in their gory ſockets roll'd;
And deſperation made him bold:
Pleas'd with the thought of human woes,
On ſcaly dragon feet he roſe.
Thus, when *Aſúrs* with impious rage,
Durſt horrid war with *Dévta's* wage,
And darted many a burning maſs
E'en on the brow of gemm'd *Cailás*,
High o'er the reſt, on ſerpents rear'd,
The griſly king of *Deits* appear'd.

The nymph beheld the fiend advance,
And couch'd her far-extending lance:
Dire drops he threw; th' infernal tide
Her helm and ſilver hauberk dyed:
Her moonlike ſhield before her hung;
The monſter ſtruck, the monſter ſtung:
Her ſpear with many a griding wound
Faſt nail'd him to the groaning ground.
The wretch, from juſter vengeance free,
Immortal born by heav'n's decree,
With chains of adamant ſecur'd,
Deep in cold gloom ſhe left immur'd.

Now reign at will, victorious Fair,
In *Britiſh*, or in *Indian*, air!
Still with each envying flow'r adorn
Your treſſes radiant as the morn;

Still

Still let each *Aſiatick* dye
Rich tints for your gay robes ſupply;
Still through the dance's laby'rinth float,
And ſwell the ſweetly-lengthen'd note;
Still, on proud ſteeds or glitt'ring cars,
Riſe on the courſe like beamy ſtars;
And, when charm'd circles round you cloſe
Of rhyming bards and ſmiling beaux,
Whilſt all with eager looks contend
Their wit or worth to recommend,
Still let your mild, yet piercing, eyes
Impartially adjudge the prize.

# SACONTALÁ;

OR,

# *THE FATAL RING:*

AN

# INDIAN DRAMA.

By CÁLIDÁS.

TRANSLATED FROM THE ORIGINAL SANSCRIT AND PRACRIT.

# PREFACE.

IN one of the letters which bear the title of EDIFYING, though moſt of them ſwarm with ridiculous errours, and all muſt be conſulted with extreme diffidence, I met, ſome years ago, with the following paſſage: "In "the north of India there are many books, called Nátac, which, as the "Bráhmens aſſert, contain a large portion of ancient hiſtory without any "mixture of fable;" and having an eager deſire to know the real ſtate of this empire before the conqueſt of it by the Savages of the North, I was very ſolicitous, on my arrival in Bengal, to procure acceſs to thoſe books, either by the help of tranſlations, if they had been tranſlated, or by learning the language in which they were originally compoſed, and which I had yet a ſtronger inducement to learn from its connection with the administration of juſtice to the Hindûs; but when I was able to converſe with the Bráhmens, they aſſured me that the Nátacs were not hiſtories, and abounded with fables; that they were extremely popular works, and conſiſted of converſations in proſe and verſe, held before ancient Rájás in their publick aſſemblies, on an infinite variety of ſubjects, and in various dialects of India: this definition gave me no very diſtinct idea; but I concluded that they were dialogues on moral or literary topicks; whilſt other Europeans, whom I conſulted, had underſtood from the natives that they were diſcourſes on dancing, muſick, or poetry. At length a very ſenſible Bráhmen, named Rádhácánt, who had long been attentive to Engliſh manners, removed all my doubts, and gave me no leſs delight

delight than ſurpriſe, by telling me that our nation had compoſitions of the ſame ſort, which were publickly repreſented at Calcutta in the cold ſeaſon, and bore the name, as he had been informed, of plays. Reſolving at my leiſure to read the beſt of them, I aſked which of their Nátacs was moſt univerſally eſteemed; and he anſwered without heſitation, Sacontalá, ſupporting his opinion, as uſual among the Pandits, by a couplet to this effect: "The ring of Sacontalá, in which the fourth act, and four "ſtanzas of that act, are eminently brilliant, diſplays all the rich exu-"berance of Cálidáſa's genius." I ſoon procured a correct copy of it; and, aſſiſted by my teacher Rámalóchan, began with tranſlating it verbally into Latin, which bears ſo great a reſemblance to Sanſcrit, that it is more convenient than any modern language for a ſcrupulous interlineary verſion: I then turned it word for word into Engliſh, and afterwards, without adding or ſuppreſſing any material ſentence, diſengaged it from the ſtiffneſs of a foreign idiom, and prepared the faithful tranſlation of the Indian drama, which I now preſent to the Publick as a moſt pleaſing and authentick picture of old Hindû manners, and one of the greateſt curioſities that the literature of Aſia has yet brought to light.

Dramatick poetry muſt have been immemorially ancient in the Indian empire: the invention of it is commonly aſcribed to Bheret, a ſage believed to have been inſpired, who invented alſo a ſyſtem of muſick which bears his name; but this opinion of its origin is rendered very doubtful by the univerſal belief, that the firſt Sanſcrit verſe ever heard by mortals was pronounced in a burſt of reſentment by the great Válmic, who flouriſhed in the ſilver age of the world, and was author of an Epick Poem on the war of his contemporary, Ráma, king of Ayódhyà; ſo that no drama in verſe could have been repreſented before his time; and the Indians have a wild ſtory, that the firſt regular play, on the ſame ſubject with the Rámáyan, was compoſed by Hanumat or Pávan, who commanded an army of Satyrs or Mountaineers in Ráma's expedition againſt Lancà: they add, that he engraved it on a ſmooth rock, which, being diſſatisfied

diſſatisfied with his compoſition, he hurled into the ſea; and that, many years after, a learned prince ordered expert divers to take impreſſions of the poem on wax, by which means the drama was in great meaſure reſtored; and my Pandit aſſures me that he is in poſſeſſion of it. By whomſoever or in whatever age this ſpecies of entertainment was invented, it is very certain, that it was carried to great perfection in its kind, when Vicramáditya, who reigned in the firſt century before Chriſt, gave encouragement to poets, philologers, and mathematicians, at a time when the Britons were as unlettered and unpoliſhed as the army of Hanumat: nine men of genius, commonly called the nine gems, attended his court, and were ſplendidly ſupported by his bounty; and Cálidás is unanimouſly allowed to have been the brighteſt of them.—A modern epigram was lately repeated to me, which does ſo much honour to the author of Sacontalá, that I cannot forbear exhibiting a literal verſion of it: " Poetry was the ſportful daughter of Válmic, and, having been edu- " cated by Vyáſa, ſhe choſe Cálidás for her bridegroom after the manner " of Viderbha: ſhe was the mother of Amara, Sundar, Sanc'ha, Dhanic; " but now, old and decrepit, her beauty faded, and her unadorned feet " ſlipping as ſhe walks, in whoſe cottage does ſhe diſdain to take " ſhelter?"

All the other works of our illuſtrious poet, the Shakeſpeare of India, that have yet come to my knowledge, are a ſecond play, in five acts, entitled Urvasí; an heroic poem, or rather a ſeries of poems in one book, on the Children of the Sun; another, with perfect unity of action, on the Birth of Cumára, god of war; two or three love tales in verſe; and an excellent little work on Sanſcrit Metre, preciſely in the manner of Terentianus; but he is believed by ſome to have reviſed the works of Válmic and Vyáſa, and to have corrected the perfect editions of them which are now current: this at leaſt is admitted by all, that he ſtands next in reputation to thoſe venerable bards; and we muſt regret, that he has left only two dramatick poems, eſpecially as the ſtories in his

Raghuvanſa

Raghuvanſa would have ſupplied him with a number of excellent ſubjects.—Some of his contemporaries, and other Hindû poets even to our own times, have compoſed ſo many tragedies, comedies, farces, and muſical pieces, that the Indian theatre would fill as many volumes as that of any nation in ancient or modern Europe: all the Pandits aſſert that their plays are innumerable; and, on my firſt inquiries concerning them, I had notice of more than thirty, which they conſider as the flower of their Nátacs, among which the Malignant Child, the Rape of Uſhá, the Taming of Durváſas, the Seizure of the Lock, Málati and Mádhava, with five or ſix dramas on the adventures of their incarnate gods, are the moſt admired after thoſe of Cálidás. They are all in verſe, where the dialogue is elevated; and in proſe, where it is familiar: the men of rank and learning are repreſented ſpeaking pure Sanſcrit, and the women Prácrit, which is little more than the language of the Bráhmens melted down by a delicate articulation to the ſoftneſs of Italian; while the low perſons of the drama ſpeak the vulgar dialects of the ſeveral provinces which they are ſuppoſed to inhabit.

The play of Sacontalá muſt have been very popular when it was firſt repreſented; for the Indian empire was then in full vigour, and the national vanity muſt have been highly flattered by the magnificent introduction of thoſe kings and heroes in whom the Hindûs gloried; the ſcenery muſt have been ſplendid and beautiful; and there is good reaſon to believe, that the court at Avanti was equal in brilliancy during the reign of Vicramáditya, to that of any monarch in any age or country.—Duſhmanta, the hero of the piece, appears in the chronological tables of the Bráhmens among the Children of the Moon, and in the twenty-firſt generation after the flood; ſo that, if we can at all rely on the chronology of the Hindûs, he was nearly contemporary with Obed, or Jeſſe; and Puru, his moſt celebrated anceſtor, was the fifth in deſcent from Budha, or Mercury, who married, they ſay, a daughter of the pious king, whom Viſhnu preſerved in an ark from the univerſal deluge: his eldeſt ſon

Bheret

Bheret was the illuſtrious progenitor of Curu, from whom Pándu was lineally deſcended, and in whoſe family the Indian Apollo became incarnate; whence the poem, next in fame to the Rámáyan, is called Mahábhárat.

As to the machinery of the drama, it is taken from the ſyſtem of mythology, which prevails to this day, and which it would require a large volume to explain; but we cannot help remarking, that the deities introduced in the Fatal Ring are clearly allegorical perſonages. Maríchi, the firſt production of Brahmá, or the Creative Power, ſignifies light, that ſubtil fluid which was created before its reſervoir, the ſun, as water was created before the ſea; Caſyapa, the offspring of Maríchi, ſeems to be a perſonification of infinite ſpace, comprehending innumerable worlds; and his children by Aditi, or his active power (unleſs Aditi mean the primeval day, and Diti, his other wife, the night), are Indra, or the viſible firmament, and the twelve Adityas, or ſuns, preſiding over as many months.

On the characters and conduct of the play I ſhall offer no criticiſm; becauſe I am convinced that the taſtes of men differ as much as their ſentiments and paſſions, and that, in feeling the beauties of art, as in ſmelling flowers, taſting fruits, viewing proſpects, and hearing melody, every individual muſt be guided by his own ſenſations and the incommunicable aſſociations of his own ideas. This only I may add, that if Sacontalá ſhould ever be acted in India, where alone it could be acted with perfect knowledge of Indian dreſſes, manners, and ſcenery, the piece might eaſily be reduced to five acts of a moderate length, by throwing the third act into the ſecond, and the ſixth into the fifth; for it muſt be confeſſed that the whole of Duſhmanta's converſation with his buffoon, and great part of his courtſhip in the hermitage, might be omitted without any injury to the drama.

It is my anxious wiſh that others may take the pains to learn Sanſcrit, and

and may be perſuaded to tranſlate the works of Câlidás: I ſhall hardly again employ my leiſure in a taſk ſo foreign to my profeſſional (which are, in truth, my favourite) ſtudies; and have no intention of tranſlating any other book from any language, except the Law Tract of Menu, and the new Digeſt of Indian and Arabian laws; but, to ſhow, that the Bráhmens, at leaſt, do not think polite literature incompatible with juriſprudence, I cannot avoid mentioning, that the venerable compiler of the Hindû Digeſt, who is now in the eighty-ſixth year, has the whole play of Sancotalá by heart; as he proved when I laſt converſed with him, to my entire conviction. Leſt, however, I ſhould hereafter ſeem to have changed a reſolution which I mean to keep inviolate, I think it proper to ſay, that I have already tranſlated four or five other books, and among them the Hitópadéſa, which I undertook, merely as an exerciſe in learning Sanſcrit, three years before I knew that Mr. Wilkins, without whoſe aid I ſhould never have learnt it, had any thought of giving the ſame work to the publick.

*PERSONS*

# PERSONS OF THE DRAMA.

*Duſhmanta*, Emperor of India.
*Sacontalá*, the Heroine of the Piece.
*Anuſúyá*, } Damſels attendant on her.
*Priyamvadá*,
*Mádhavya*, the Emperor's Buffoon.
*Gautamí*, an old female Hermit.
*Sárngarava*, } two Bráhmens.
*Sáradwata*,
*Canna*, Foſter-father of Sacontalá.
*Cumbhílaca*, a Fiſherman.
*Miſracéſí*, a Nymph.
*Mátali*, Charioteer of Indra.
*A little Boy*.
*Caſyapa*, } Deities, Parents of Indra.
*Aditi*,

Officers of State and Police, Bráhmens, Damſels, Hermits, Pupils, Chamberlas, Warders of the Palace, Meſſengers, and Attendants.

# THE PROLOGUE.

*A* Bráhmen *pronounces the benediction.*

WATER was the first work of the Creator; and Fire receives the oblations ordained by law; the Sacrifice is performed with solemnity; the Two Lights of heaven distinguish time; the subtil Ether, which is the vehicle of sound, pervades the universe; the Earth is the natural parent of all increase; and by Air all things breathing are animated: may I'SA, the God of Nature, apparent in these eight forms, bless and sustain you!

*The* Manager *enters.*

*Man.* What occasion is there for a long speech?—[*Looking towards the dressing room*]—When your decorations, Madam, are completed, be pleased to come forward.

*An* Actress *enters.*

*Actr.* I attend, Sir.—What are your commands?

*Man.* This, Madam, is the numerous and polite assembly of the famed Hero, our king Vicramáditya, the patron of every delightful art; and before this audience we must do justice to a new production of Cálidás, a dramatick piece, entitled Sacontalá, or, The Fatal Ring: it is requested, therefore, that all will be attentive.

*Actr.* Who, Sir, could be inattentive to an entertainment so well intended?

*Man.* [*Smiling*] I will speak, Madam, without reserve.—As far as an enlightened

enlightened audience receive pleaſure from our theatrical talents, and expreſs it, ſo far, and no farther, I ſet a value on them; but my own mind is diffident of its powers, how ſtrongly ſoever exerted.

*Actr.* You judge rightly in meaſuring your own merit by the degree of pleaſure which this aſſembly may receive; but its value, I truſt, will preſently appear.—Have you any farther commands?

*Man.* What better can you do, ſince you are now on the ſtage, than exhilarate the ſouls, and gratify the ſenſe, of our auditory with a ſong?

*Actr.* Shall I ſing the deſcription of a ſeaſon? and which of the ſeaſons do you chuſe to hear deſcribed?

*Man.* No finer ſeaſon could be ſelected than the ſummer, which is actually begun, and abounds with delights. How ſweet is the cloſe of a ſummer day, which invites our youth to bathe in pure ſtreams, and induces gentle ſlumber under the ſhades refreſhed by ſylvan breezes, which have paſſed over the blooming Pátalis and ſtolen their fragrance!

*Actr.* [*Singing.*] "Mark how the ſoft bloſſoms of the Nágacéſar are "lightly kiſſed by the bees! Mark how the damſels delicately place be- "hind their ears the flowers of Siríſha!"

*Man.* A charming ſtrain! the whole company ſparkles, as it were, with admiration; and the muſical mode to which the words are adapted, has filled their ſouls with rapture. By what other performance can we enſure a continuance of their favour?

*Actr.* Oh! by none better than by the Fatal Ring, which you have juſt announced.

*Man.* How could I forget it! In that moment I was lulled to diſtraction by the melody of thy voice, which allured my heart, as the king Duſhmanta is now allured by the ſwift antelope. [*They both go out.*

SACONTALA';

# SACONTALÁ;

OR,

# *THE FATAL RING.*

## ACT I.

### SCENE—A FOREST.

Dushmanta, *in a car, pursuing an antelope, with a bow and quiver, attended by his* Charioteer.

Char. [*Looking at the antelope, and then at the king.*]

WHEN I cast my eye on that black antelope, and on thee, O king, with thy braced bow, I see before me, as it were, the God Mahésa chasing a hart, with his bow, named pináca, braced in his left hand.

*Dushm.* The fleet animal has given us a long chase. Oh! there he runs, with his neck bent gracefully, looking back, from time to time, at the car which follows him. Now, through fear of a descending shaft, he contracts his forehand, and extends his flexible haunches; and now, through fatigue, he pauses to nibble the grass in his path with his mouth half opened. See how he springs and bounds with long steps, lightly skimming the ground, and rising high in the air! And now so rapid in his flight, that he is scarce discernible!

*Char.* The ground was uneven, and the horses were checked in their course. He has taken advantage of our delay. It is level now, and we may easily overtake him.

*Dushm.*

*Duſhm.* Looſen the reins.

*Char.* As the king commands.—[*He drives the car firſt at full ſpeed, and then gently.*]—He could not eſcape. The horſes were not even touched by the clouds of duſt which they raiſed; they toſſed their manes, erected their ears, and rather glided than galloped over the ſmooth plain.

*Duſhm.* They ſoon outran the ſwift antelope.—Objects which, from their diſtance, appeared minute, preſently became larger: what was really divided, ſeemed united, as we paſſed; and what was in truth bent, ſeemed ſtraight. So ſwift was the motion of the wheels, that nothing, for many moments, was either diſtant or near.

[*He fixes an arrow in his bowſtring.*

[*Behind the ſcenes.*] He muſt not be ſlain. This antelope, O king, has an aſylum in our foreſt: he muſt not be ſlain.

*Char.* [*Liſtening and looking.*] Juſt as the animal preſents a fair mark for your arrow, two hermits are advancing to interrupt your aim.

*Duſhm.* Then ſtop the car.

*Char.* The king is obeyed. [*He draws in the reins.*

*Enter a* Hermit *and his* Pupil.

*Herm.* [*Raiſing his hands.*] Slay not, O mighty ſovereign, ſlay not a poor fawn, who has found a place of refuge. No, ſurely, no; he muſt not be hurt. An arrow in the delicate body of a deer would be like fire in a bale of cotton. Compared with thy keen ſhafts, how weak muſt be the tender hide of a young antelope! Replace quickly, oh! replace the arrow which thou haſt aimed. The weapons of you kings and warriors are deſtined for the relief of the oppreſſed, not for the deſtruction of the guiltleſs.

*Duſhm.* [*Saluting them.*] It is replaced.

[*He places the arrow in his quiver.*

*Herm.* [*With joy.*] Worthy is that act of thee, moſt illuſtrious of monarchs; worthy, indeed, of a prince deſcended from Puru. Mayſt thou have a ſon adorned with virtues, a ſovereign of the world!

*Pup.*

*Pup.* [*Elevating both his hands.*] Oh! by all means, may thy ſon be adorned with every virtue, a ſovereign of the world!

*Duſhm.* [*Bowing to them.*] My head bears with reverence the order of a Bráhmen.

*Herm.* Great king, we came hither to collect wood for a ſolemn ſacrifice; and this foreſt, on the banks of the Malinì, affords an aſylum to the wild animals protected by Sacontalá, whom our holy preceptor Canna has received as a ſacred depoſit. If you have no other avocation, enter yon grove, and let the rights of hoſpitality be duly performed. Having ſeen with your own eyes the virtuous behaviour of thoſe whoſe only wealth is their piety, but whoſe worldly cares are now at an end, you will then exclaim, "How many good ſubjects are defended "by this arm, which the bowſtring has made callous!"

*Duſhm.* Is the maſter of your family at home?

*Herm.* Our preceptor is gone to Sómatírt'ha, in hopes of deprecating ſome calamity, with which deſtiny threatens the irreproachable Sacontalá; and he has charged her, in his abſence, to receive all gueſts with due honour.

*Duſhm.* Holy man, I will attend her; and ſhe, having obſerved my devotion, will report it favourably to the venerable ſage.

*Both.* Be it ſo; and we depart on our own buſineſs.

[*The* Hermit *and his* Pupil *go out.*

*Duſhm.* Drive on the car. By viſiting the abode of holineſs, we ſhall purify our ſouls.

*Char.* As the king (may his life be long!) commands. [*He drives on.*

*Duſhm.* [*Looking on all ſides.*] That we are near the dwelling-place of pious hermits, would clearly have appeared, even if it had not been told.

*Char.* By what marks?

*Duſhm.* Do you not obſerve them? See under yon trees the hallowed grains which have been ſcattered on the ground, while the tender female parrots were feeding their unfledged young in their pendent neſts. Mark in other places the ſhining pieces of poliſhed ſtone which have bruiſed

bruifed the oily fruit of the facred Ingudì. Look at the young fawns, which, having acquired confidence in man, and accuftomed themfelves to the found of his voice, frifk at pleafure, without varying their courfe. Even the furface of the river is reddened with lines of confecrated bark, which float down its ftream. Look again; the roots of yon trees are bathed in the waters of holy pools, which quiver as the breeze plays upon them; and the glowing luftre of yon frefh leaves is obfcured, for a time, by fmoke that rifes from oblations of clarified butter. See too, where the young roes graze, without apprehenfion from our approach, on the lawn before yonder garden, were the tops of the facrificial grafs, cut for fome religious rite, are fprinkled around.

*Char.* I now obferve all thofe marks of fome holy habitation.

*Dufhm.* [*Turning afide.*] This awful fanctuary, my friend, muft not be violated. Here, therefore, ftop the car; that I may defcend.

*Char.* I hold in the reins. The king may defcend at his pleafure.

*Dufhm.* [*Having defcended, and looking at his own drefs.*] Groves devoted to religion muft be entered in humbler habiliments. Take thefe regal ornaments;—[*the* Charioteer *receives them*]—and, whilft I am obferving thofe who inhabit this retreat, let the horfes be watered and dreffed.

*Char.* Be it as you direct! [*He goes out.*

*Dufhm.* [*Walking round and looking.*] Now then I enter the fanctuary. —[*He enters the grove.*]—Oh! this place muft be holy, my right arm throbs.—[*Paufing and confidering.*]—What new acquifition does this omen promife in a fequeftered grove? But the gates of predeftined events are in all places open.

[*Behind the fcenes.*] Come hither, my beloved companions; Oh! come hither.

*Dufhm.* [*Liftening.*] Hah! I hear female voices to the right of yon arbour. I am refolved to know who are converfing.—[*He walks round and looks.*]—There are fome damfels, I fee, belonging to the hermit's family who carry water-pots of different fizes proportioned to their ftrength, and are going to water the delicate plants. Oh! how charm-

ingly

ingly they look! If the beauty of maids who dwell in woodland retreats cannot eaſily be found in the receſſes of a palace, the garden flowers muſt make room for the bloſſoms of the foreſt, which excel them in colour and fragrance. [*He ſtands gazing at them.*

*Enter* Sacontalá, Anuſúyá, *and* Priyamvadá.

*Anu.* O my Sacontalá, it is in thy ſociety that the trees of our father Canna ſeem to me delightful: it well becomes thee, who art ſoft as the freſh-blown Mallicà, to fill with water the canals which have been dug round theſe tender ſhrubs.

*Sac.* It is not only in obedience to our father that I thus employ myſelf, though that were a ſufficient motive, but I really feel the affection of a ſiſter for theſe young plants. [*Watering them.*

*Pri.* My beloved friend, the ſhrubs which you have watered flower in the ſummer, which is now begun: let us give water to thoſe which have paſſed their flowering time; for our virtue will be the greater when it is wholly diſintereſted.

*Sac.* Excellent advice! [*Watering other plants.*

*Duſhm.* [*Aſide in tranſport.*] How! is that Canna's daughter, Sacontalá?—[*With ſurpriſe.*]—The venerable ſage muſt have an unfeeling heart, ſince he has allotted a mean employment to ſo lovely a girl, and has dreſſed her in a coarſe mantle of woven bark. He, who could wiſh that ſo beautiful a creature, who at firſt ſight raviſhes my ſoul, ſhould endure the hardſhips of his auſtere devotion, would attempt, I ſuppoſe, to cleave the hard wood Samì with a leaf of the blue lotos. Let me retire behind this tree, that I may gaze on her charms without diminiſhing her confidence. [*He retires.*

*Sac.* My friend Priyamvadá has tied this mantle of bark ſo cloſely over my boſom that it gives me pain: Anuſúyá, I requeſt you to untie it.

[Anuſúyá *unties the mantle.*

*Pri.* [*Laughing.*] Well, my ſweet friend, enjoy, while you may, that youthful prime which gives your boſom ſo beautiful a ſwell.

 *Duſhm.*

*Duſhm.* [*Aſide.*] Admirably ſpoken, Priyamvadá! No; her charms cannot be hidden, even though a robe of intertwiſted fibres be thrown over her ſhoulders, and conceal a part of her boſom, like a veil of yellow leaves enfolding a radiant flower. The water lily, though dark moſs may ſettle on its head, is nevertheleſs beautiful; and the moon with dewy beams is rendered yet brighter by its black ſpots. The bark itſelf acquires elegance from the features of a girl with antelope's eyes, and rather augments than diminiſhes my ardour. Many are the rough ſtalks which ſupport the water lily; but many and exquiſite are the bloſſoms which hang on them.

*Sac.* [*Looking before her.*] Yon Amra tree, my friends, points with the finger of its leaves, which the gale gently agitates, and ſeems inclined to whiſper ſome ſecret. I will go near it. [*They all approach the tree.*

*Pri.* O my Sacontalá, let us remain ſome time in this ſhade.

*Sac.* Why here particularly?

*Pri.* Becauſe the Amra tree ſeems wedded to you, who are graceful as the blooming creeper which twines round it.

*Sac.* Properly are you named Priyamvadá, or ſpeaking kindly.

*Duſhm.* [*Aſide.*] She ſpeaks truly. Yes; her lip glows like the tender leaflet; her arms reſemble two flexible ſtalks; and youthful beauty ſhines, like a bloſſom, in all her lineaments.

*Anu.* See, my Sacontalá, how yon freſh Mallicà, which you have ſurnamed Vanàdóſinì, or Delight of the Grove, has choſen the ſweet Amra for her bridegroom.

*Sac.* [*Approaching, and looking at it with pleaſure.*] How charming is the ſeaſon, when the nuptials even of plants are thus publickly celebrated! [*She ſtands admiring it.*

*Pri.* [*Smiling.*] Do you know, my Anuſúyá, why Sacontalá gazes on the plants with ſuch rapture?

*Anu.* No, indeed: I was trying to gueſs. Pray, tell me.

*Pri.* "As the Grove's Delight is united to a ſuitable tree, thus I too "hope

" hope for a bridegroom to my mind."—That is her private thought at this moment.

*Sac.* Such are the flights of your own imagination.

[*Inverting the water-pot.*

*Anu.* Here is a plant, Sacontalá, which you have forgotten, though it has grown up, like yourſelf, under the foſtering care of our father Canna.

*Sac.* Then I ſhall forget myſelf.—O wonderful!—[*approaching the plant.*]—O Priyamvadá! [*looking at it with joy*] I have delightful tidings for you.

*Pri.* What tidings, my beloved, for me?

*Sac.* This Mádhavi-creeper, though it be not the uſual time for flowering, is covered with gay bloſſoms from its root to its top.

*Both.* [*Approaching it haſtily.*] Is it really ſo, ſweet friend?

*Sac.* Is it ſo? look yourſelves.

*Pri.* [*With eagerneſs.*] From this omen, Sacontalá, I announce you an excellent huſband, who will very ſoon take you by the hand.

[*Both girls look at* Sacontalá.

*Sac.* [*Diſpleaſed.*] A ſtrange fancy of yours!

*Pri.* Indeed, my beloved, I ſpeak not jeſtingly. I heard ſomething from our father Canna. Your nurture of theſe plants has proſpered; and thence it is, that I foretel your approaching nuptials.

*Anu.* It is thence, my Priyamvadá, that ſhe has watered them with ſo much alacrity.

*Sac.* The Mádhavi plant is my ſiſter: can I do otherwiſe than cheriſh her? [*Pouring water on it.*

*Duſhm.* [*Aſide.*] I fear ſhe is of the ſame religious order with her foſter-father. Or has a miſtaken apprehenſion riſen in my mind? My warm heart is ſo attached to her, that ſhe cannot but be a fit match for a man of the military claſs. The doubts which awhile perplex the good, are ſoon removed by the prevalence of their ſtrong inclinations. I am enamoured of her; and ſhe cannot, therefore, be the daughter of a Bráhmen, whom I could not marry.

*Sac.*

*Sac.* [*Moving her head.*] Alas! a bee has left the bloſſom of this Mallicá, and is fluttering round my face. [*She expreſſes uneaſineſs.*

*Duſhm.* [*Aſide, with affection.*] How often have I ſeen our court damſels affectedly turn their heads aſide from ſome roving inſect, merely to diſplay their graces! but this rural charmer knits her brows, and gracefully moves her eyes through fear only, without art or affectation. Oh! happy bee, who toucheſt the corner of that eye beautifully trembling; who, approaching the tip of that ear, murmureſt as ſoftly as if thou wert whiſpering a ſecret of love; and who ſippeſt nectar, while ſhe waves her graceful hand, from that lip, which contains all the treaſures of delight! Whilſt I am ſolicitous to know in what family ſhe was born, thou art enjoying bliſs, which to me would be ſupreme felicity.

*Sac.* Diſengage me, I entreat, from this importunate inſect, which quite baffles my efforts.

*Pri.* What power have we to deliver you? The king Duſhmanta is the ſole defender of our conſecrated groves.

*Duſhm.* [*Aſide.*] This is a good occaſion for me to diſcover myſelf—[*advancing a little.*]—I muſt not, I will not, fear. Yet—[*checking himſelf and retiring*]—my royal character will thus abruptly be known to them. No; I will appear as a ſimple ſtranger, and claim the duties of hoſpitality.

*Sac.* This impudent bee will not reſt. I will remove to another place. [*Stepping aſide and looking round.*]—Away! away! He follows me wherever I go. Deliver me, oh! deliver me from this diſtreſs.

*Duſhm.* [*Advancing haſtily.*] Ah! While the race of Puru govern the world, and reſtrain even the moſt profligate, by good laws well adminiſtered, has any man the audacity to moleſt the lovely daughters of pious hermits? [*They look at him with emotion.*

*Anu.* Sir, no man is here audacious; but this damſel, our beloved friend, was teaſed by a fluttering bee. [*Both girls look at* Sacontalá.

*Duſhm.* [*Approaching her.*] Damſel, may thy devotion proſper!

[Sacontalá *looks on the ground, baſhful and ſilent.*

*Anu.* Our gueſt muſt be received with due honours.

*Pri.*

*Pri.* Stranger, you are welcome. Go, my Sacontalá; bring from the cottage a baſket of fruit and flowers. This river will, in the mean time, ſupply water for his feet. [*Looking at the water-pots.*

*Duſhm.* Holy maid, the gentleneſs of thy ſpeech does me ſufficient honour.

*Anu.* Sit down awhile on this bank of earth, ſpread with the leaves of Septaperna: the ſhade is refreſhing, and our lord muſt want repoſe after his journey.

*Duſhm.* You too muſt all be fatigued by your hoſpitable attentions: reſt yourſelves, therefore, with me.

*Pri.* [*Aſide to* Sacontalá.] Come, let us all be ſeated: our gueſt is contented with our reception of him. [*They all ſeat themſelves.*

*Sac.* [*Aſide.*] At the ſight of this youth I feel an emotion ſcarce conſiſtent with a grove devoted to piety.

*Duſhm.* [*Gazing at them alternately.*] How well your friendſhip agrees, holy damſels, with the charming equality of your ages and of your beauties!

*Pri.* [*Aſide to* Anuſúyá.] Who can this be, my Anuſúyá? The union of delicacy with robuſtneſs in his form, and of ſweetneſs with dignity in his diſcourſe, indicate a character fit for ample dominion.

*Anu.* [*Aſide to* Priyamvadá.] I too have been admiring him. I muſt aſk him a few queſtions.—[*Aloud.*] Your ſweet ſpeech, Sir, gives me confidence. What imperial family is embelliſhed by our noble gueſt? What is his native country? Surely it muſt be afflicted by his abſence from it. What, I pray, could induce you to humiliate that exalted form of yours by viſiting a foreſt peopled only by ſimple anchorites?

*Sac.* [*Aſide.*] Perplex not thyſelf, oh my heart! let the faithful Anuſúyá direct with her counſel the thoughts which riſe in thee.

*Duſhm.* [*Aſide.*] How ſhall I reveal, or how ſhall I diſguiſe, myſelf?—[*Muſing.*]—Be it ſo.—[*Aloud to* Anuſúyá.] Excellent lady, I am a ſtudent of the Véda, dwelling in the city of our king, deſcended from

Puru;

Puru; and, being occupied in the difcharge of religious and moral duties, am come hither to behold the fanctuary of virtue.

*Anu.* Holy men, employed like you, are our lords and mafters.

[Sacontalá *looks modeft, yet with affection; while her companions gaze alternately at her and at the king.*

*Anu.* [*Afide to* Sacontalá.] Oh! if our venerable father were prefent—

*Sac.* What if he were?

*Anu.* He would entertain our gueft with a variety of refrefhments.

*Sac.* [*Pretending difpleafure.*] Go too; you had fome other idea in your head; I will not liften to you. [*She fits apart.*

*Dufhm.* [*Afide to* Anufúyá *and* Priyamvadá.] In my turn, holy damfels, allow me to afk one queftion concerning your lovely friend.

*Both.* The requeft, Sir, does us honour.

*Dufhm.* The fage Canna, I know, is ever intent upon the great Being; and muft have declined all earthly connections. How then can this damfel be, as it is faid, his daughter?

*Anu.* Let our lord hear. There is, in the family of Cufa, a pious prince of extenfive power, eminent in devotion and in arms.

*Dufhm.* You fpeak, no doubt, of Caufica, the fage and monarch.

*Anu.* Know, Sir, that he is in truth her father; while Canna bears that reverend name, becaufe he brought her up, fince fhe was left an infant.

*Dufhm.* Left? the word excites my curiofity; and raifes in me a defire of knowing her whole ftory.

*Anu.* You fhall hear it, Sir, in few words.—When that fage king had begun to gather the fruits of his auftere devotion, the gods of Swerga became apprehenfive of his increafing power, and fent the nymph Ménacà to fruftrate, by her allurements, the full effect of his piety.

*Dufhm.* Is a mortal's piety fo tremendous to the inferior deities? What was the event?

*Anu.* In the bloom of the vernal feafon, Caufica, beholding the beauty of the celeftial nymph, and wafted by the gale of defire——

[*She ftops and looks modeft.*

*Dufhm.*

*Duſhm.* I now ſee the whole. Sacontalá then is the daughter of a king, by a nymph of the lower heaven.

*Anu.* Even ſo.

*Duſhm.* [*Aſide.*] The deſire of my heart is gratified.—[*Aloud.*] How, indeed, could her tranſcendent beauty be the portion of mortal birth? Yon light, that ſparkles with tremulous beams, proceeds not from a terreſtrial cavern. [Sacontalá *ſits modeſtly, with her eyes on the ground.*

*Duſhm.* [*Again aſide.*] Happy man that I am! Now has my fancy an ample range. Yet, having heard the pleaſantry of her companions on the ſubject of her nuptials, I am divided with anxious doubt, whether ſhe be not wholly deſtined for a religious life.

*Pri.* [*Smiling, and looking firſt at* Sacontalá, *then at the king.*] Our lord ſeems deſirous of aſking other queſtions.

[Sacontalá *rebukes* Priyamvadá *with her hand.*

*Duſhm.* You know my very heart. I am, indeed, eager to learn the whole of this charmer's life; and muſt put one queſtion more.

*Pri.* Why ſhould you muſe on it ſo long?—[*Aſide.*] One would think this religious man was forbidden by his vows to court a pretty woman.

*Duſhm.* This I aſk. Is the ſtrict rule of a hermit ſo far to be obſerved by Canna, that he cannot diſpoſe of his daughter in marriage, but muſt check the natural impulſe of juvenile love? Can ſhe (oh prepoſterous fate!) be deſtined to reſide for life among her favourite antelopes, the black luſtre of whoſe eyes is far ſurpaſſed by hers?

*Pri.* Hitherto, Sir, our friend has lived happy in this conſecrated foreſt, the abode of her ſpiritual father; but it is now his intention to unite her with a bridegroom equal to herſelf.

*Duſhm.* [*Aſide, with ecſtaſy.*] Exult, oh my heart, exult. All doubt is removed; and what before thou wouldſt have dreaded as a flame, may now be approached as a gem ineſtimable.

*Sac.* [*Seeming angry.*] Anuſúyá, I will ſtay here no longer.

*Anu.* Why ſo, I pray?

*Sac.*

*Sac.* I will go to the holy matron Gautamí, and let her know how impertinently our Priyamvadá has been prattling. [*She rises.*

*Anu.* It will not be decent, my love, for an inhabitant of this hallowed wood to retire before a gueſt has received complete honour.

[Sacontalá, *giving no anſwer*, *offers to go.*

*Duſhm.* [*Aſide.*] Is ſhe then departing?—[*He riſes, as if going to ſtop her, but checks himſelf.*]—The actions of a paſſionate lover are as precipitate as his mind is agitated. Thus I, whoſe paſſion impelled me to follow the hermit's daughter, am reſtrained by a ſenſe of duty.

*Pri.* [*Going up to* Sacontalá.] My angry friend, you muſt not retire.

*Sac.* [*Stepping back and frowning.*] What ſhould detain me?

*Pri.* You owe me the labour, according to our agreement, of watering two more ſhrubs. Pay me firſt, to acquit your conſcience, and then depart, if you pleaſe. [*Holding her.*

*Duſhm.* The damſel is fatigued, I imagine, by pouring ſo much water on the cheriſhed plants. Her arms, graced with palms like freſh bloſſoms, hang careleſsly down; her boſom heaves with ſtrong breathing; and now her diſhevelled locks, from which the ſtring has dropped, are held by one of her lovely hands. Suffer me, therefore, thus to diſcharge the debt.—[*Giving his ring to* Priyamvadá. *Both damſels, reading the name* Duſhmanta, *inſcribed on the ring, look with ſurpriſe at each other.*]—It is a toy unworthy of your fixed attention; but I value it as a gift from the king.

*Pri.* Then you ought not, Sir, to part with it. Her debt is from this moment diſcharged on your word only. [*She returns the ring.*

*Anu.* You are now releaſed, Sacontalá, by this benevolent lord—or favoured, perhaps, by a monarch himſelf. To what place will you now retire?

*Sac.* [*Aſide.*] Muſt I not wonder at all this if I preſerve my ſenſes?

*Pri.* Are not you going, Sacontalá?

*Sac.* Am I your ſubject? I ſhall go when it pleaſes me.

*Duſhm.* [*Aſide, looking at* Sacontalá.] Either ſhe is affected towards me,

me, as I am towards her, or I am diſtracted with joy. She mingles not her diſcourſe with mine; yet, when I ſpeak, ſhe liſtens attentively. She commands not her actions in my preſence; and her eyes are engaged on me alone.

*Behind the ſcenes.*] Oh pious hermits, preſerve the animals of this hallowed foreſt! The king Duſhmanta is hunting in it. The duſt raiſed by the hoofs of his horſes, which pound the pebbles ruddy as early dawn, falls like a ſwarm of blighting inſects on the conſecrated boughs which ſuſtain your mantles of woven bark, moiſt with the water of the ſtream in which you have bathed.

*Duſhm.* [*Aſide.*] Alas! my officers, who are ſearching for me, have indiſcreetly diſturbed this holy retreat.

*Again behind the ſcenes.*] Beware, ye hermits, of yon elephant, who comes overturning all that oppoſe him; now he fixes his trunk with violence on a lofty branch that obſtructs his way; and now he is entangled in the twining ſtalks of the Vratati. How are our ſacred rites interrupted! How are the protected herds diſperſed! The wild elephant, alarmed at the new appearance of a car, lays our foreſt waſte.

*Duſhm.* [*Aſide.*] How unwillingly am I offending the devout foreſters! Yes; I muſt go to them inſtantly.

*Pri.* Noble ſtranger, we are confounded with dread of the enraged elephant. With your permiſſion, therefore, we retire to the hermit's cottage.

*Anu.* O Sacontalá, the venerable matron will be much diſtreſſed on your account. Come quickly, that we may be all ſafe together.

*Sac.* [*Walking ſlowly.*] I am ſtopped, alas! by a ſudden pain in my ſide.

*Duſhm.* Be not alarmed, amiable damſels. It ſhall be my care that no diſturbance happen in your ſacred groves.

*Pri.* Excellent ſtranger, we were wholly unacquainted with your ſtation; and you will forgive us, we hope, for the offence of intermitting awhile the honours due to you: but we humbly requeſt that you will

give us once more the pleaſure of ſeeing you, though you have not now been received with perfect hoſpitality.

*Duſhm.* You depreciate your own merits. The ſight of you, ſweet damſels, has ſufficiently honoured me.

*Sac.* My foot, O Anuſúyá, is hurt by this pointed blade of Cuſa graſs; and now my looſe veſt of bark is caught by a branch of the Curuvaca. Help me to diſentangle myſelf, and ſupport me.—[*She goes out, looking from time to time at* Duſhmanta, *and ſupported by the damſels.*]

*Duſhm.* [*Sighing.*] They are all departed; and I too, alas! muſt depart. For how ſhort a moment have I been bleſſed with a ſight of the incomparable Sacontalá! I will ſend my attendants to the city, and take my ſtation at no great diſtance from this foreſt. I cannot, in truth, divert my mind from the ſweet occupation of gazing on her. How, indeed, ſhould I otherwiſe occupy it? My body moves onward; but my reſtleſs heart runs back to her; like a light flag borne on a ſtaff againſt the wind, and fluttering in an oppoſite direction. [*He goes out.*

ACT

## ACT II.

SCENE—*A* PLAIN, *with royal pavilions on the ſkirt of the foreſt.*

*Mádhavya.* [*Sighing and lamenting.*]

STRANGE recreation this?—Ah me! I am wearied to death.—My royal friend has an unaccountable taſte.—What can I think of a king ſo paſſionately fond of chaſing unprofitable quadrupeds?—"Here runs an "antelope!—there goes a boar!"—Such is our only converſation.—Even at noon, in exceſſive heat, when not a tree in the foreſt has a ſhadow under it, we muſt be ſkipping and prancing about, like the beaſts whom we follow.—Are we thirſty? We have nothing to drink but the waters of mountain torrents, which taſte of burned ſtones and mawkiſh leaves.—Are we hungry? We muſt greedily devour lean veniſon, and that commonly roaſted to a ſtick.—Have I a moment's repoſe at night?—My ſlumber is diſturbed by the din of horſes and elephants, or by the ſons of ſlave-girls hollooing out, "More veniſon, more veniſon!"—Then comes a cry that pierces my ear, "Away to the foreſt, away!"—Nor are theſe my only grievances: freſh pain is now added to the ſmart of my firſt wounds; for, while we were ſeparated from our king, who was chaſing a fooliſh deer, he entered, I find, yon lonely place, and there, to my infinite grief, ſaw a certain girl, called Sacontalá, the daughter of a hermit: from that moment not a word of returning to the city!—Theſe diſtreſſing thoughts have kept my eyes open the whole night.—Alas! when ſhall we return?—I cannot ſet eyes on my beloved friend Duſhmanta ſince he ſet his heart on taking another wife.—[*Stepping aſide and looking*]—Oh! there he is.—How changed!—He carries a bow, indeed, but wears for his diadem a garland of wood-flowers.—He is advancing: I muſt begin my operations.—[*He ſtands leaning on a ſtaff.*]—Let me thus take a moment's reſt.—[*Aloud.*]

Duſhmanta

Dushmanta *enters, as described.*

*Dushm.* [*Aside, sighing.*] My darling is not so easily attainable; yet my heart assumes confidence from the manner in which she seemed affected: surely, though our love has not hitherto prospered, yet the inclinations of us both are fixed on our union.—[*Smiling.*]—Thus do lovers agreeably beguile themselves, when all the powers of their souls are intent on the objects of their desire!—But am I beguiled? No; when she cast her eyes even on her companions, they sparkled with tenderness; when she moved her graceful arms, they dropped, as if languid with love; when her friend remonstrated against her departure, she spoke angrily—All this was, no doubt, on my account.—Oh! how quick-sighted is love in discerning his own advantages!

*Mádh.* [*Bending downward, as before.*] Great prince! my hands are unable to move; and it is with my lips only that I can mutter a blessing on you. May the king be victorious!

*Dushm.* [*Looking at him and smiling.*] Ah! what has crippled thee, friend Mádhavya?

*Mádh.* You strike my eye with your own hand, and then ask what makes it weep.

*Dushm.* Speak intelligibly. I know not what you mean.

*Mádh.* Look at yon Vétas tree bent double in the river. Is it crooked, I pray, by its own act, or by the force of the stream?

*Dushm.* It is bent, I suppose, by the current.

*Mádh.* So am I by your Majesty.

*Dushm.* How so, Mádhavya?

*Mádh.* Does it become you, I pray, to leave the great affairs of your empire, and so charming a mansion as your palace, for the sake of living here like a forester? Can you hold a council in a wood? I, who am a reverend Bráhmen, have no longer the use of my hands and feet: they are put out of joint by my running all day long after dogs and wild beasts. Favour me, I entreat, with your permission to repose but a single day.

*Dushm.*

*Duſhm.* [*Aſide.*] Such are this poor fellow's complaints; whilſt I, when I think of Canna's daughter, have as little reliſh for hunting as he. How can I brace this bow, and fix a ſhaft in the ſtring, to ſhoot at thoſe beautiful deer who dwell in the ſame groves with my beloved, and whoſe eyes derive luſtre from hers?

*Mádh.* [*Looking ſtedfaſtly at the king.*] What ſcheme is your royal mind contriving? I have been crying, I find, in a wilderneſs.

*Duſhm.* I think of nothing but the gratification of my old friend's wiſhes.



*Mádh.* [*Joyfully.*] Then may the king live long!

[*Riſing, but counterfeiting feebleneſs.*

*Duſhm.* Stay; and liſten to me attentively.

*Mádh.* Let the king command.

*Duſhm.* When you have taken repoſe, I ſhall want your aſſiſtance in another buſineſs, that will give you no fatigue.

*Mádh.* Oh! what can that be, unleſs it be eating rice-pudding?

*Duſhm.* You ſhall know in due time.

*Mádh.* I ſhall be delighted to hear it.

*Duſhm.* Hola! who is there?

*The* Chamberlain *enters.*

*Cham.* Let my ſovereign command me.

*Duſhm.* Raivataca, bid the General attend.

*Cham.* I obey.—[*He goes out, and returns with the* General.]—Come quickly, Sir, the king ſtands expecting you.

*Gen.* [*Aſide, looking at* Duſhmanta.] How comes it that hunting, which moraliſts reckon a vice, ſhould be a virtue in the eyes of a king? Thence it is, no doubt, that our emperor, occupied in perpetual toil, and inured to conſtant heat, is become ſo lean, that the ſunbeams hardly affect him; while he is ſo tall, that he looks to us little men, like an elephant grazing on a mountain: he ſeems all ſoul.—[*Aloud, approaching the king.*]—May our monarch ever be victorious!—This foreſt, O king, is infeſted by

by beafts of prey: we fee the traces of their huge feet in every path.—What orders is it your pleafure to give?

*Dufhm.* Bhadraféna, this moralizing Mádhavya has put a ftop to our recreation by forbidding the pleafures of the chafe.

*Gen.* [*Afide to* Mádhavya.] Be firm to your word, my friend; whilft I found the king's real inclinations.—[*Aloud.*] O! Sir, the fool talks idly. Confider the delights of hunting. The body, it is true, becomes emaciated, but it is light and fit for exercife. Mark how the wild beafts of various kinds are varioufly affected by fear and by rage! What pleafure equals that of a proud archer, when his arrow hits the mark as it flies?—Can hunting be juftly called a vice? No recreation, furely, can be compared with it.

*Mádh.* [*Angrily.*] Away, thou falfe flatterer! The king, indeed, follows his natural bent, and is excufable; but thou, fon of a flave girl, haft no excufe.—Away to the wood!—How I wifh thou hadft been feized by a tiger or an old bear, who was prowling for a fkakàl, like thyfelf!

*Dufhm.* We are now, Bhadraféna, encamped near a facred hermitage; and I cannot at prefent applaud your panegyrick on hunting. This day, therefore, let the wild buffalos roll undifturbed in the fhallow water, or tofs up the fand with their horns; let the herd of antelopes, affembled under the thick fhade, ruminate without fear; let the large boars root up the herbage on the brink of yon pool; and let this my bow take repofe with a flackened ftring.

*Gen.* As our lord commands.

*Dufhm.* Recall the archers who have advanced before me, and forbid the officers to go very far from this hallowed grove. Let them beware of irritating the pious: holy men are eminent for patient virtues, yet conceal within their bofoms a fcorching flame; as carbuncles are naturally cool to the touch; but, if the rays of the fun have been imbibed by them, they burn the hand.

*Mádh.* Away now, and triumph on the delights of hunting.

Gen.

*Gen.* The king's orders are obeyed. [*He goes out.*

*Dushm.* [*To his attendants.*] Put off your hunting apparel; and thou, Raivataca, continue in waiting at a little diftance.

*Cham.* I fhall obey. [*Goes out.*

*Mádh.* So! you have cleared the ftage: not even a fly is left on it. Sit down, I pray, on this pavement of fmooth pebbles, and the fhade of this tree fhall be your canopy: I will fit by you; for I am impatient to know what will give me no fatigue.

*Dushm.* Go firft, and feat thyfelf.

*Mádh.* Come, my royal friend. [*They both fit under a tree.*

*Dushm.* Friend Mádhavya, your eyes have not been gratified with an object which beft deferves to be feen.

*Mádh.* Yes, truly; for a king is before them.

*Dushm.* All men are apt, indeed, to think favourably of themfelves; but I meant Sacontalá, the brighteft ornament of thefe woods.

*Mádh.* [*Afide.*] I muft not foment this paffion.—[*Aloud.*] What can you gain by feeing her? She is a Bráhmen's daughter, and confequently no match for you!

*Dushm.* What! Do people gaze at the new moon, with uplifted heads and fixed eyes, from a hope of poffeffing it? But you muft know, that the heart of Dushmanta is not fixed on an object which he muft for ever defpair of attaining.

*Mádh.* Tell me how.

*Dushm.* She is the daughter of a pious prince and warriour, by a celeftial nymph; and, her mother having left her on earth, fhe has been foftered by Canna, even as a frefh bloffom of Malati, which droops on its pendant ftalk, is raifed and expanded by the fun's light.

*Mádh.* [*Laughing.*] Your defire to poffefs this ruftick girl, when you have women bright as gems in your palace already, is like the fancy of a man, who has loft his relifh for dates, and longs for the four tamarind.

*Dushm.* Did you know her, you would not talk fo wildly.

*Mádh.*

*Mádh.* Oh! certainly, whatever a king admires muſt be ſuperlatively charming.

*Duſhm.* [*Smiling.*] What need is there of long deſcription? When I meditate on the power of Brahmà, and on her lineaments, the creation of ſo tranſcendent a jewel outſhines, in my apprehenſion, all his other works: ſhe was formed and moulded in the eternal mind, which had raiſed with its utmoſt exertion, the ideas of perfect ſhapes, and thence made an aſſemblage of all abſtract beauties.

*Mádh.* She muſt render, then, all other handſome women contemptible.

*Duſhm.* In my mind ſhe really does. I know not yet what bleſſed inhabitant of this world will be the poſſeſſor of that faultleſs beauty, which now reſembles a bloſſom whoſe fragrance has not been diffuſed; a freſh leaf, which no hand has torn from its ſtalk; a pure diamond, which no poliſher has handled; new honey, whoſe ſweetneſs is yet untaſted; or rather the celeſtial fruit of collected virtues, to the perfection of which nothing can be added.

*Mádh.* Make haſte, then, or the fruit of all virtues will drop into the hand of ſome devout ruſtick, whoſe hair ſhines with oil of Ingudì.

*Duſhm.* She is not her own miſtreſs; and her foſter-father is at a diſtance.

*Mádh.* How is ſhe diſpoſed towards you?

*Duſhm.* My friend, the damſels in a hermit's family are naturally reſerved: yet ſhe did look at me, wiſhing to be unperceived; then ſhe ſmiled, and ſtarted a new ſubject of converſation. Love is by nature averſe to a ſudden communication, and hitherto neither fully diſplays, nor wholly conceals, himſelf in her demeanour towards me.

*Mádh.* [*Laughing.*] Has ſhe thus taken poſſeſſion of your heart on ſo tranſient a view?

*Duſhm.* When ſhe walked about with her female friends, I ſaw her yet more diſtinctly, and my paſſion was greatly augmented. She ſaid ſweetly,

ſweetly, but untruly, " My foot is hurt by the points of the Cuſa graſs:" then ſhe ſtopped; but ſoon, advancing a few paces, turned back her face, pretending a wiſh to diſentangle her veſt of woven bark from the branches in which it had not really been caught.

*Mádh.* You began with chaſing an antelope, and have now ſtarted new game: thence it is, I preſume, that you are grown ſo fond of a conſecrated foreſt.

*Duſhm.* Now the buſineſs for you, which I mentioned, is this: you, who are a Bráhmen, muſt find ſome expedient for my ſecond entrance into that aſylum of virtue.

*Mádh.* And the advice which I give is this: remember that you are a king.

*Duſhm.* What then?

*Mádh.* " Hola! bid the hermits bring my ſixth part of their grain." Say this, and enter the grove without ſcruple.

*Duſhm.* No, Mádhavya: they pay a different tribute, who, having abandoned all the gems and gold of this world, poſſeſs riches far ſuperior. The wealth of princes, collected from the four orders of their ſubjects, is periſhable; but pious men give us a ſixth part of the fruits of their piety; fruits which will never periſh.

*Behind the ſcenes.*] Happy men that we are! we have now attained the object of our deſire.

*Duſhm.* Hah! I hear the voices of ſome religious anchorites.

*The* Chamberlain *enters.*

*Cham.* May the king be victorious!—Two young men, ſons of a hermit, are waiting at my ſtation, and ſoliciting an audience.

*Duſhm.* Introduce them without delay.

*Cham.* As the king commands.—[*He goes out, and re-enters with two* Bráhmens.]—Come on; come this way.

*Firſt Bráhm.* [*Looking at the king.*] Oh! what confidence is inſpired by his brilliant appearance!—Or proceeds it rather from his diſpoſition

to virtue and holineſs?——Whence comes it, that my fear vaniſhes?——He now has taken his abode in a wood which ſupplies us with every enjoyment; and with all his exertions for our ſafety, his devotion increaſes from day to day.—The praiſe of a monarch who has conquered his paſſions aſcends even to heaven: inſpired bards are continually ſinging, "Behold a virtuous prince!" but with us the royal name ſtands firſt: "Behold, among kings, a ſage!"

*Second Bráhm.* Is this, my friend, the truly virtuous Duſhmanta?

*Firſt Bráhm.* Even he.

*Second Bráhm.* It is not then wonderful, that he alone, whoſe arm is lofty and ſtrong as the main bar of his city gate, poſſeſſes the whole earth, which forms a dark boundary to the ocean; or that the gods of Swerga, who fiercely contend in battle with evil powers, proclaim victory gained by his braced bow, not by the thunderbolt of INDRA.

*Both.* [*Approaching him.*] O king, be victorious!

*Duſhm.* [*Riſing.*] I humbly ſalute you both.

*Both.* Bleſſings on thee!

*Duſhm.* [*Reſpectfully.*] May I know the cauſe of this viſit?

*Firſt Bráhm.* Our ſovereign is hailed by the pious inhabitants of theſe woods; and they implore——

*Duſhm.* What is their command?

*Firſt Bráhm.* In the abſence of our ſpiritual guide, Canna, ſome evil demons are diſturbing our holy retreat. Deign, therefore, accompanied by thy charioteer, to be maſter of our aſylum, if it be only for a few ſhort days.

*Duſhm.* [*Eagerly.*] I am highly favoured by your invitation.

*Mádh.* [*Aſide.*] Excellent promoters of your deſign! They draw you by the neck, but not againſt your will.

*Duſhm.* Raivataca, bid my charioteer bring my car, with my bow and quiver.

*Cham.* I obey. [*He goes out.*

*Firſt*

*First Bráhm.* Such condescension well becomes thee, who art an universal guardian.

*Second Bráhm.* Thus do the descendants of Puru perform their engagement to deliver their subjects from fear of danger.

*Dushm.* Go first, holy men: I will follow instantly.

*Both.* Be ever victorious! [*They go out.*

*Dushm.* Shall you not be delighted, friend Mádhavya, to see my Sacontalá?

*Mádh.* At first I should have had no objection; but I have a considerable one since the story of the demons.

*Dushm.* Oh! fear nothing: you will be near me.

*Mádh.* And you, I hope, will have leisure to protect me from them.

*The* Chamberlain *re-enters.*

*Cham.* May our lord be victorious!—The imperial car is ready; and all are expecting your triumphant approach. Carabba too, a messenger from the queen-mother, is just arrived from the city.

*Dushm.* Is he really come from the venerable queen?

*Cham.* There can be no doubt of it.

*Dushm.* Let him appear before me.

[*The* Chamberlain *goes out, and returns with the* Messenger.

*Cham.* There stands the king—O Carabba, approach him with reverence.

*Mess.* [*Prostrating himself.*] May the king be ever victorious!——The royal mother sends this message——

*Dushm.* Declare her command.

*Mess.* Four days hence the usual fast for the advancement of her son will be kept with solemnity; and the presence of the king (may his life be prolonged!) will then be required.

*Dushm.* On one hand is a commission from holy Bráhmens; on the other, a command from my revered parent: both duties are sacred, and neither must be neglected.

*Mádh.* [*Laughing.*] Stay suspended between them both, like king Trisancu

Trisancu between heaven and earth; when the pious men said, "Rise!" and the gods of Swerga said, "Fall!"

*Dushm.* In truth I am greatly perplexed. My mind is principally distracted by the distance of the two places where the two duties are to be performed; as the stream of a river is divided by rocks in the middle of its bed.—[*Musing.*]—Friend Mádhavya, my mother brought you up as her own son, to be my playfellow, and to divert me in my childhood. You may very properly act my part in the queen's devotions. Return then to the city, and give an account of my distress through the commission of these reverend foresters.

*Mádh.* That I will;—but you could not really suppose that I was afraid of demons!

*Dushm.* How come you, who are an egregious Bráhmen, to be so bold on a sudden?

*Mádh.* Oh! I am now a young king.

*Dushm.* Yes, certainly; and I will dispatch my whole train to attend your highness, whilst I put an end to the disturbance in this hermitage.

*Mádh.* [*Strutting.*] See, I am a prince regnant.

*Dushm.* [*Aside.*] This buffoon of a Bráhmen has a slippery genius. He will perhaps disclose my present pursuit to the women in the palace. I must try to deceive him.—[*Taking* Mádhavya *by the hand.*]—I shall enter the forest, be assured, only through respect for its pious inhabitants; not from any inclination for the daughter of a hermit. How far am I raised above a girl educated among antelopes; a girl, whose heart must ever be a stranger to love!—The tale was invented for my diversion.

*Mádh.* Yes, to be sure; only for your diversion!

*Dushm.* Then farewel, my friend; execute my commission faithfully, whilst I proceed——to defend the anchorites. [*All go out.*

ACT

## ACT III.

SCENE—*The* HERMITAGE *in a Grove*.

*The Hermit's* Pupil *bearing conſecrated graſs*.

*Pupil*. [*Meditating with wonder*.]

HOW great is the power of Duſhmanta!—The monarch and his charioteer had no ſooner entered the grove than we continued our holy rites without interruption.—What words can deſcribe him?—By his barely aiming a ſhaft, by the mere ſound of his bow-ſtring, by the ſimple murmur of his vibrating bow, he diſperſes at once our calamities.—Now then I deliver to the prieſts this bundle of freſh Cuſa graſs to be ſcattered round the place of ſacrifice.——[*Looking behind the ſcenes*.]—Ah! Priyamvadá, for whom are you carrying that ointment of Usíra root, and thoſe leaves of water lilies?—[*Liſtening attentively*.]—What ſay you?—That Sacontalá is extremely diſordered by the ſun's heat, and that you have procured for her a cooling medicine!—Let her, my Priyamvadá, be diligently attended; for ſhe is the darling of our venerable father Canna.—I will adminiſter, by the hand of Gautamí, ſome healing water conſecrated in the ceremony called Vaitána. [*He goes out*.

Duſhmanta *enters*, *expreſſing the diſtraction of a lover*.

*Duſhm*. I well know the power of her devotion: that ſhe will ſuffer none to diſpoſe of her but Canna, I too well know. Yet my heart can no more return to its former placid ſtate, than water can reaſcend the ſteep,

ſteep, down which it has fallen.—O God of Love, how can thy darts be ſo keen, ſince they are pointed with flowers?—Yes, I diſcover the reaſon of their keenneſs. They are tipped with the flames which the wrath of Hara kindled, and which blaze at this moment, like the Bárava fire under the waves: how elſe couldſt thou, who waſt conſumed even to aſhes, be ſtill the inflamer of our ſouls? By thee and by the moon, though each of you ſeems worthy of confidence, we lovers are cruelly deceived. They who love as I do, aſcribe flowery ſhafts to thee, and cool beams to the moon, with equal impropriety; for the moon ſheds fire on them with her dewy rays, and thou pointeſt with ſharp diamonds thoſe arrows which ſeem to be barbed with bloſſoms. Yet this god, who bears a fiſh on his banners, and who wounds me to the ſoul, will give me real delight, if he deſtroy me with the aid of my beloved, whoſe eyes are large and beautiful as thoſe of a roe.——O powerful divinity, even when I thus adore thy attributes, haſt thou no compaſſion? Thy fire, O Love, is fanned into a blaze by a hundred of my vain thoughts.—Does it become thee to draw thy bow even to thy ear, that the ſhaft, aimed at my boſom, may inflict a deeper wound?—Where now can I recreate my afflicted ſoul by the permiſſion of thoſe pious men whoſe uneaſineſs I have removed by diſmiſſing my train?—[*Sighing.*]—I can have no relief but from a ſight of my beloved.——[*Looking up.*]—This intenſely hot noon muſt, no doubt, be paſſed by Sacontalá with her damſels on the banks of this river over-ſhadowed with Tamálas.—It muſt be ſo:—I will advance thither.—[*Walking round and looking.*]—My ſweet friend has, I gueſs, been lately walking under that row of young trees; for I ſee the ſtalks of ſome flowers, which probably ſhe gathered, ſtill unſhrivelled; and ſome freſh leaves, newly plucked, ſtill dropping milk.——[*Feeling a breeze.*]—Ah! this bank has a delightful air!—Here may the gale embrace me, wafting odours from the water lilies, and cool my breaſt, inflamed by the bodileſs god, with the liquid particles which it catches from the waves of the Málinì.—[*Looking down.*]—Happy lover! Sacontalá muſt be ſomewhere in this grove of flowering creepers; for I diſcern on the yellow ſand at the door

door of yon arbour ſome recent footſteps, raiſed a little before, and depreſſed behind by the weight of her elegant limbs.——I ſhall have a better view from behind this thick foliage.——[*He conceals himſelf, looking vigilantly.*]—Now are my eyes fully gratified.—The darling of my heart, with her two faithful attendants, repoſes on a ſmooth rock ſtrown with freſh flowers.—Theſe branches will hide me, whilſt I hear their charming converſation. [*He ſtands concealed, and gazes.*

Sacontalá *and her two Damſels diſcovered.*

*Both.* [*Fanning her.*] Say, beloved Sacontalá, does the breeze, raiſed by our fans of broad lotos leaves, refreſh you?

*Sac.* [*Mournfully.*] Why, alas, do my dear friends take this trouble?

[*Both look ſorrowfully at each other.*

*Duſhm.* [*Aſide.*] Ah! ſhe ſeems much indiſpoſed. What can have been the fatal cauſe of ſo violent a fever?—Is it what my heart ſuggeſts? Or—[*Muſing*]—I am perplexed with doubts.—The medicine extracted from the balmy Usíra has been applied, I ſee, to her boſom: her only bracelet is made of thin filaments from the ſtalks of a water lily, and even that is looſely bound on her arm. Yet, even thus diſordered, ſhe is exquiſitely beautiful.—Such are the hearts of the young! Love and the ſun equally inflame us; but the ſcorching heat of ſummer leads not equally to happineſs with the ardour of youthful deſires.

*Pri.* [*Aſide to* Anuſúyá.] Did you not obſerve how the heart of Sacontalá was affected by the firſt ſight of our pious monarch? My ſuſpicion is, that her malady has no other cauſe.

*Anu.* [*Aſide to* Priyamvadá.] The ſame ſuſpicion had riſen in my mind. I will aſk her at once.—[*Aloud*]—My ſweet Sacontalá, let me put one queſtion to you. What has really occaſioned your indiſpoſition?

*Duſhm.* [*Aſide.*] She muſt now declare it. Ah! though her bracelets of lotos are bright as moon beams, yet they are marked, I ſee, with black ſpots from internal ardour.

*Sac.*

*Sac.* [*Half raiſing herſelf.*] Oh! ſay what you ſuſpect to have occaſioned it.

*Anu.* Sacontalá, we muſt neceſſarily be ignorant of what is paſſing in your breaſt; but I ſuſpect your caſe to be that which we have often heard related in tales of love. Tell us openly what cauſes your illneſs. A phyſician, without knowing the cauſe of a diſorder, cannot even begin to apply a remedy.

*Duſhm.* [*Aſide.*] I flatter myſelf with the ſame ſuſpicion.

*Sac.* [*Aſide.*] My pain is intolerable; yet I cannot haſtily diſcloſe the occaſion of it.

*Pri.* My ſweet friend, Anuſúyá, ſpeaks rationally. Conſider the violence of your indiſpoſition. Every day you will be more and more emaciated, though your exquiſite beauty has not yet forſaken you.

*Duſhm.* [*Aſide.*] Moſt true. Her forehead is parched; her neck droops; her waiſt is more ſlender than before; her ſhoulders languidly fall; her complection is wan; ſhe reſembles a Mádhaví creeper, whoſe leaves are dried by a ſultry gale: yet, even thus transformed, ſhe is lovely, and charms my ſoul.

*Sac.* [*Sighing.*] What more can I ſay? Ah! why ſhould I be the occaſion of your ſorrow?

*Pri.* For that very reaſon, my beloved, we are ſolicitous to know your ſecret; ſince, when each of us has a ſhare of your uneaſineſs, you will bear more eaſily your own portion of it.

*Duſhm.* [*Aſide.*] Thus urged by two friends, who ſhare her pains as well as her pleaſures, ſhe cannot fail to diſcloſe the hidden cauſe of her malady; whilſt I, on whom ſhe looked at our firſt interview with marked affection, am filled with anxious deſire to hear her anſwer.

*Sac.* From the very inſtant when the accompliſhed prince, who has juſt given repoſe to our hallowed foreſt, met my eye——

[*She breaks off, and looks modeſt.*

*Both.* Speak on, beloved Sacontalá.

*Sac.*

*Sac.* From that inſtant my affection was unalterably fixed on him—and thence I am reduced to my preſent languor.

*Anu.* Fortunately your affection is placed on a man worthy of yourſelf.

*Pri.* Oh! could a fine river have deſerted the ſea and flowed into a lake?

*Duſhm.* [*Joyfully.*] That which I was eager to know, her own lips have told. Love was the cauſe of my diſtemper, and love has healed it; as a ſummer's day, grown black with clouds, relieves all animals from the heat which itſelf had cauſed.

*Sac.* If it be no diſagreeable taſk, contrive, I entreat you, ſome means by which I may find favour in the king's eyes.

*Duſhm.* [*Aſide.*] That requeſt baniſhes all my cares, and gives me rapture even in my preſent uneaſy ſituation.

*Pri.* [*Aſide to* Anuſúyá.] A remedy for her, my friend, will ſcarce be attainable. Exert all the powers of your mind; for her illneſs admits of no delay.

*Anu.* [*Aſide to* Priyamvadá.] By what expedient can her cure be both accelerated and kept ſecret?

*Pri.* [*As before.*] Oh! to keep it ſecret will be eaſy; but to attain it ſoon, almoſt inſuperably difficult.

*Anu.* [*As before.*] How ſo?

*Pri.* The young king ſeemed, I admit, by his tender glances, to be enamoured of her at firſt ſight; and he has been obſerved, within theſe few days, to be pale and thin, as if his paſſion had kept him long awake.

*Duſhm.* [*Aſide.*] So it has——This golden bracelet, ſullied by the flame which preys on me, and which no dew mitigates, but the tears guſhing nightly from theſe eyes, has fallen again and again on my wriſt, and has been replaced on my emaciated arm.

*Pri.* [*Aloud.*] I have a thought, Anuſúyá—Let us write a love letter,

which I will conceal in a flower, and, under the pretext of making a reſpectful offering, deliver it myſelf into the king's hand.

*Anu.* An excellent contrivance! It pleaſes me highly;—but what ſays our beloved Sacontalá?

*Sac.* I muſt conſider, my friend, the poſſible conſequences of ſuch a ſtep.

*Pri.* Think alſo of a verſe or two, which may ſuit your paſſion, and be conſiſtent with the character of a lovely girl born in an exalted family.

*Sac.* I will think of them in due time; but my heart flutters with the apprehenſion of being rejected.

*Duſhm.* [*Aſide.*] Here ſtands the man ſupremely bleſſed in thy preſence, from whom, O timid girl, thou art apprehenſive of a refuſal! Here ſtands the man, from whom, O beautiful maid, thou feareſt rejection, though he loves thee diſtractedly. He who ſhall poſſeſs thee will ſeek no brighter gem; and thou art the gem which I am eager to poſſeſs.

*Anu.* You depreciate, Sacontalá, your own incomparable merits. What man in his ſenſes would intercept with an umbrella the moonlight of autumn, which alone can allay the fever cauſed by the heat of the noon?

*Sac.* [*Smiling.*] I am engaged in thought. [*She meditates.*

*Duſhm.* Thus then I fix my eyes on the lovely poeteſs, without cloſing them a moment, while ſhe meaſures the feet of her verſe: her forehead is gracefully moved in cadence, and her whole aſpect indicates pure affection.

*Sac.* I have thought of a couplet; but we have no writing implements.

*Pri.* Let us hear the words; and then I will mark them with my nail on this lotos leaf, ſoft and green as the breaſt of a young parroquet: it may eaſily be cut into the form of a letter.—Repeat the verſes.

*Sac.* "Thy heart, indeed, I know not: but mine, oh! cruel, love "warms by day and by night; and all my faculties are centered on "thee."

*Duſhm.*

*Duſhm.* [*Haſtily advancing, and pronouncing a verſe in the ſame meaſure.*] "Thee, O ſlender maid, love only warms; but me he burns; as the "day-ſtar only ſtifles the fragrance of the night-flower, but quenches the "very orb of the moon."

*Anu.* [*Looking at him joyfully.*] Welcome, great king: the fruit of my friend's imagination has ripened without delay.

[Sacontalá *expreſſes an inclination to riſe.*

*Duſhm.* Give yourſelf no pain. Thoſe delicate limbs, which repoſe on a couch of flowers, thoſe arms, whoſe bracelets of lotos are diſarranged by a ſlight preſſure, and that ſweet frame, which the hot noon ſeems to have diſordered, muſt not be fatigued by ceremony.

*Sac.* [*Aſide.*] O my heart, canſt thou not reſt at length after all thy ſufferings?

*Anu.* Let our ſovereign take for his ſeat a part of the rock on which ſhe repoſes. [Sacontalá *makes a little room.*

*Duſhm.* [*Seating himſelf.*] Priyamvadá, is not the fever of your charming friend in ſome degree abated?

*Pri.* [*Smiling.*] She has juſt taken a ſalutary medicine, and will ſoon be reſtored to health. But, O mighty prince, as I am favoured by you and by her, my friendſhip for Sacontalá prompts me to converſe with you for a few moments.

*Duſhm.* Excellent damſel, ſpeak openly; and ſuppreſs nothing.

*Pri.* Our lord ſhall hear.

*Duſhm.* I am attentive.

*Pri.* By diſpelling the alarms of our pious hermits, you have diſcharged the duty of a great monarch.

*Duſhm.* Oh! talk a little on other ſubjects.

*Pri.* Then I muſt inform you that our beloved companion is enamoured of you, and has been reduced to her preſent languor by the reſiſtleſs divinity, love. You only can preſerve her ineſtimable life.

*Duſhm.* Sweet Priyamvadá, our paſſion is reciprocal; but it is I who am honoured.

*Sac.*

*Sac.* [*Smiling, with a mixture of affection and resentment.*] Why ſhould you detain the virtuous monarch, who muſt be afflicted by ſo long an abſence from the ſecret apartments of his palace?

*Duſhm.* This heart of mine, oh thou who art of all things the deareſt to it, will have no object but thee, whoſe eyes enchant me with their black ſplendour, if thou wilt but ſpeak in a milder ſtrain. I, who was nearly ſlain by love's arrow, am deſtroyed by thy ſpeech.

*Anu.* [*Laughing.*] Princes are ſaid to have many favourite conſorts. You muſt aſſure us, therefore, that our beloved friend ſhall not be expoſed to affliction through our conduct.

*Duſhm.* What need is there of many words? Let there be ever ſo many women in my palace, I will have only two objects of perfect regard; the ſea-girt earth, which I govern, and your ſweet friend, whom I love.

*Both.* Our anxiety is diſſipated.

[Sacontalá *ſtrives in vain to conceal her joy.*

*Pri.* [*Aſide to* Anuſúyá.] See how our friend recovers her ſpirits by little and little, as the peahen, oppreſſed by the ſummer heat, is refreſhed by a ſoft gale and a gentle ſhower.

*Sac.* [*To the damſels.*] Forgive, I pray, my offence in having uſed unmeaning words: they were uttered only for your amuſement in return for your tender care of me.

*Pri.* They were the occaſion, indeed, of our ſerious advice. But it is the king who muſt forgive: who elſe is offended?

*Sac.* The great monarch will, I truſt, excuſe what has been ſaid either before him or in his abſence.—[*Aſide to the damſels.*] Intercede with him, I entreat you.

*Duſhm.* [*Smiling.*] I would cheerfully forgive any offence, lovely Sacontalá, if you, who have dominion over my heart, would allow me full room to ſit by you, and recover from my fatigue, on this flowery couch preſſed by your delicate limbs.

*Pri.* Allow him room; it will appeaſe him, and make him happy.

*Sac.*

*Sac.* [*Pretending anger, aſide to* Priyamvadá.] Be quiet, thou miſchief-making girl! Doſt thou ſport with me in my preſent weak ſtate?

*Anu.* [*Looking behind the ſcenes.*] O! my Priyamvadá, there is our favourite young antelope running wildly and turning his eyes on all ſides: he is, no doubt, ſeeking his mother, who has rambled in the wide foreſt. I muſt go and aſſiſt his ſearch.

*Pri.* He is very nimble; and you alone will never be able to confine him in one place. I muſt accompany you. [*Both going out.*

*Sac.* Alas! I cannot conſent to your going far: I ſhall be left alone.

*Both.* [*Smiling.*] Alone! with the ſovereign of the world by your ſide! [*They go out.*

*Sac.* How could my companions both leave me?

*Duſhm.* Sweet maid, give yourſelf no concern. Am not I, who humbly ſolicit your favour, preſent in the room of them?—[*Aſide.*]—I muſt declare my paſſion.——[*Aloud.*]—Why ſhould not I, like them, wave this fan of lotos leaves, to raiſe cool breezes and diſſipate your uneaſineſs? Why ſhould not I, like them, lay ſoftly in my lap thoſe feet, red as water lilies, and preſs them, O my charmer, to relieve your pain?

*Sac.* I ſhould offend againſt myſelf, by receiving homage from a perſon entitled to my reſpect.

[*She riſes, and walks ſlowly through weakneſs.*

*Duſhm.* The noon, my love, is not yet paſſed; and your ſweet limbs are weak. Having left that couch where freſh flowers covered your boſom, you can ill ſuſtain this intenſe heat with ſo languid a frame.

[*He gently draws her back.*

*Sac.* Leave me, oh leave me. I am not, indeed, my own miſtreſs, or ——the two damſels were only appointed to attend me. What can I do at preſent?

*Duſhm.* [*Aſide.*] Fear of diſpleaſing her makes me baſhful.

*Sac.* [*Overhearing him.*] The king cannot give offence. It is my unhappy fate only that I accuſe.

*Duſhm.* Why ſhould you accuſe ſo favourable a deſtiny?

*Sac.*

*Sac.* How rather can I help blaming it, ſince it has permitted my heart to be affected by amiable qualities, without having left me at my own diſpoſal?

*Duſhm.* [*Aſide.*] One would imagine that the charming ſex, inſtead of being, like us, tormented with love, kept love himſelf within their hearts, to torment him with delay. [Sacontalá *going out.*

*Duſhm.* [*Aſide.*] How! muſt I then fail of attaining felicity?

[*Following her and catching the ſkirt of her mantle.*

*Sac.* [*Turning back.*] Son of Puru, preſerve thy reaſon; oh! preſerve it.—The hermits are buſy on all ſides of the grove.

*Duſhm.* My charmer, your fear of them is vain. Canna himſelf, who is deeply verſed in the ſcience of law, will be no obſtacle to our union. Many daughters of the holieſt men have been married by the ceremony called Gándharva, as it is practiſed by Indra's band, and even their fathers have approved them.—[*Looking round.*]—What ſay you? are you ſtill inflexible? Alas! I muſt then depart.

[*Going from her a few paces, then looking back.*

*Sac.* [*Moving alſo a few ſteps, and then turning back her face.*] Though I have refuſed compliance, and have only allowed you to converſe with me for a moment, yet, O ſon of Puru——let not Sacontalá be wholly forgotten.

*Duſhm.* Enchanting girl, ſhould you be removed to the ends of the world, you will be fixed in this heart, as the ſhade of a lofty tree remains with it even when the day is departed.

*Sac.* [*Going out, aſide.*] Since I have heard his proteſtations, my feet move, indeed, but without advancing. I will conceal myſelf behind thoſe flowering Curuvacas, and thence I ſhall ſee the reſult of his paſſion.

[*She hides herſelf behind the ſhrubs.*

*Duſhm.* [*Aſide.*] Can you leave me, beloved Sacontalá; me who am all affection? Could you not have tarried a ſingle moment? Soft is your beautiful frame, and indicates a benevolent ſoul; yet your heart is obdurate: as the tender Siríſha hangs on a hard ſtalk.

*Sac.*

*Sac.* [*Aſide.*] I really have now loſt the power of departing.

*Duſhm.* [*Aſide.*] What can I do in this retreat ſince my darling has left it?—[*Muſing and looking round.*]—Ah! my departure is happily delayed.—Here lies her bracelet of flowers, exquiſitely perfumed by the root of Usíra which had been ſpread on her boſom: it has fallen from her delicate wriſt, and is become a new chain for my heart.

[*Taking up the bracelet with reverence.*

*Sac.* [*Aſide, looking at her hand.*] Ah me! ſuch was my languor, that the filaments of lotos ſtalks which bound my arm dropped on the ground unperceived by me.

*Duſhm.* [*Aſide, placing it in his boſom.*] Oh! how delightful to the touch!—From this ornament of your lovely arm, O my darling, though it be inanimate and ſenſeleſs, your unhappy lover has regained confidence—a bliſs which you refuſed to confer.

*Sac.* [*Aſide.*] I can ſtay here no longer. By this pretext I may return.

[*Going ſlowly towards him.*

*Duſhm.* [*With rapture.*] Ah! the empreſs of my ſoul again bleſſes theſe eyes. After all my miſery I was deſtined to be favoured by indulgent heaven.—The bird Chátac, whoſe throat was parched with thirſt, ſupplicated for a drop of water, and ſuddenly a cool ſtream poured into his bill from the bounty of a freſh cloud.

*Sac.* Mighty king, when I had gone half way to the cottage, I perceived that my bracelet of thin ſtalks had fallen from my wriſt; and I return becauſe my heart is almoſt convinced that you muſt have ſeen and taken it. Reſtore it, I humbly entreat, leſt you expoſe both yourſelf and me to the cenſure of the hermits.

*Duſhm.* Yes, on one condition I will return it.

*Sac.* On what condition? Speak——

*Duſhm.* That I may replace it on the wriſt to which it belongs.

*Sac.* [*Aſide.*] I have no alternative. [*Approaching him.*

*Duſhm.* But in order to replace it, we muſt both be ſeated on that ſmooth rock. [*Both ſit down.*

*Duſhm.*

*Dushm.* [*Taking her hand.*] O exquisite softness! This hand has regained its native strength and beauty, like a young shoot of Cámalatà: or it resembles rather the god of love himself, when, having been consumed by the fire of Hara's wrath, he was restored to life by a shower of nectar sprinkled by the immortals.

*Sac.* [*Pressing his hand.*] Let the son of my lord make haste to tie on the bracelet.

*Dushm.* [*Aside, with rapture.*] Now I am truly blessed.—That phrase, the son of my lord, is applied only to a husband.—[*Aloud.*]—My charmer, the clasp of this bracelet is not easily loosened: it must be made to fit you better.

*Sac.* [*Smiling.*] As you please.

*Dushm.* [*Quitting her hand.*] Look, my darling: this is the new moon which left the firmament in honour of superior beauty, and, having descended on your enchanting wrist, has joined both its horns round it in the shape of a bracelet.

*Sac.* I really see nothing like a moon: the breeze, I suppose, has shaken some dust from the lotos flower behind my ears, and that has obscured my sight.

*Dushm.* [*Smiling.*] If you permit me, I will blow the fragrant dust from your eye.

*Sac.* It would be a kindness; but I cannot trust you.

*Dushm.* Oh! fear not, fear not. A new servant never transgresses the command of his mistress.

*Sac.* But a servant over-assiduous deserves no confidence.

*Dushm.* [*Aside.*] I will not let slip this charming occasion.——[*Attempting to raise her head*—Sacontalá *faintly repels him, but sits still.*]——O damsel with an antelope's eyes, be not apprehensive of my indiscretion.——[Sacontalá *looks up for a moment, and then bashfully drops her head*—Dushmanta, *aside, gently raising her head.*]——That lip, the softness of which is imagined, not proved, seems to pronounce, with a delightful tremour, its permission for me to allay my thirst.

*Sac.*

*Sac.* The ſon of my lord ſeems inclined to break his promiſe.

*Duſhm.* Beloved, I was deceived by the proximity of the lotos to that eye which equals it in brightneſs. [*He blows gently on her eye.*

*Sac.* Well; now I ſee a prince who keeps his word as it becomes his imperial character. Yet I am really aſhamed that no deſert of mine entitles me to the kind ſervice of my lord's ſon.

*Duſhm.* What reward can I deſire, except that which I conſider as the greateſt, the fragrance of your delicious lip?

*Sac.* Will that content you?

*Duſhm.* The bee is contented with the mere odour of the water lily.

*Sac.* If he were not, he would get no remedy.

*Duſhm.* Yes, this and this—— [*Kiſſing her eagerly.*

*Behind the ſcenes.* Hark! the Chacraváca is calling her mate on the bank of the Málinì: the night is beginning to ſpread her ſhades.

*Sac.* [*Liſtening alarmed.*] O ſon of my lord, the matron Gautamí approaches to enquire after my health. Hide yourſelf, I entreat, behind yon trees.

*Duſhm.* I yield to neceſſity. [*He retires.*

Gautamí *enters with a vaſe in her hand.*

*Gaut.* [*Looking anxiouſly at* Sacontalá.] My child, here is holy water for thee.—What! haſt thou no companion here but the inviſible gods; thou who art ſo much indiſpoſed?

*Sac.* Both Priyamvadá and Anuſúyá are juſt gone down to the river.

*Gaut.* [*Sprinkling her.*] Is thy fever, my child, a little abated?
[*Feeling her hand.*

*Sac.* Venerable matron, there is a change for the better.

*Gaut.* Then thou art in no danger. Mayſt thou live many years! The day is departing: let us both go to the cottage.

*Sac.* [*Aſide, riſing ſlowly.*] O my heart, no ſooner hadſt thou begun to taſte happineſs, than the occaſion ſlipped away!—[*She advances a few ſteps, and returns to the arbour.*]—O bower of twining plants, by whom my

my ſorrows have been diſpelled, on thee I call; ardently hoping to be once more happy under thy ſhade. [*She goes out with* Gautamí.

*Duſhm.* [*Returning to the bower, and ſighing.*] How, alas, have my deſires been obſtructed!—Could I do leſs than kiſs the lips of my charmer, though her modeſt cheeks were half averted; lips, whoſe ſweetneſs had enchanted me, even when they pronounced a denial?—Whither now can I go?—I will remain a while in this arbour of creepers, which my darling's preſence has illuminated.——[*Looking round.*]—Yes; this is her ſeat on the rock, ſpread with bloſſoms, which have been preſſed by her delicate limbs.—Here lies her exquiſite love letter on the leaf of a water lily; here lay her bracelet of tender filaments which had fallen from her ſweet wriſt.—Though the bower of twining Vétaſas be now deſolate, ſince my charmer has left it, yet, while my eyes are fixed on all theſe delightful memorials of her, I am unable to depart.——[*Muſing.*]—Ah! how imperfectly has this affair been conducted by a lover, like me, who, with his darling by his ſide, has let the occaſion ſlip.—Should Sacontalá viſit once more this calm retreat, the opportunity ſhall not paſs again unimproved: the pleaſures of youth are by nature tranſitory.—Thus my fooliſh heart forms reſolutions, while it is diſtracted by the ſudden interruption of its happineſs. Why did it ever allow me to quit without effect the preſence of my beloved?

*Behind the ſcenes.* O king, while we are beginning our evening ſacrifice, the figures of blood-thirſty demons, embrowned by clouds collected at the departure of day, glide over the ſacred hearth, and ſpread conſternation around.

*Duſhm.* Fear not, holy men.—Your king will protect you. [*He goes out.*

ACT.

## ACT IV.

### SCENE—*A* Lawn *before the Cottage.*

*The two damſels are diſcovered gathering flowers.*

*Anuſúyá.*

O MY Priyamvadá, though our ſweet friend has been happily married, according to the rites of Gandharvas, to a bridegroom equal in rank and accompliſhments, yet my affectionate heart is not wholly free from care; and one doubt gives me particular uneaſineſs.

*Pri.* What doubt, my Anuſúyá?

*Anu.* This morning the pious prince was diſmiſſed with gratitude by our hermits, who had then completed their myſtick rites: he is now gone to his capital, Haſtinápura, where, ſurrounded by a hundred women in the receſſes of his palace, it may be doubted whether he will remember his charming bride.

*Pri.* In that reſpect you may be quite eaſy. Men, ſo well informed and well educated as he, can never be utterly deſtitute of honour.—We have another thing to conſider. When our father Canna ſhall return from his pilgrimage, and ſhall hear what has paſſed, I cannot tell how he may receive the intelligence.

*Anu.* If you aſk my opinion, he will, I think, approve of the marriage.

*Pri.* Why do you think ſo?

*Anu.* Becauſe he could deſire nothing better, than that a huſband ſo accompliſhed and ſo exalted ſhould take Sacontalá by the hand. It was, you know, the declared object of his heart, that ſhe might be ſuitably married; and, ſince heaven has done for him what he moſt wiſhed to do, how can he poſſibly be diſſatisfied?

*Pri.*

*Pri.* You reaſon well; but—[*Looking at her baſket.*]—My friend, we have plucked a ſufficient ſtore of flowers to ſcatter over the place of ſacrifice.

*Anu.* Let us gather more to decorate the temples of the goddeſſes who have procured for Sacontalá ſo much good fortune.

[*They both gather more flowers.*

*Behind the ſcenes.* It is I——Hola!

*Anu.* [*Liſtening.*] I hear the voice, as it ſeems, of a gueſt arrived in the hermitage.

*Pri.* Let us haſten thither. Sacontalá is now repoſing; but though we may, when ſhe wakes, enjoy her preſence, yet her mind will all day be abſent with her departed lord.

*Anu.* Be it ſo; but we have occaſion, you know, for all theſe flowers. [*They advance.*

*Again behind the ſcenes.* How! Doſt thou ſhow no attention to a gueſt? Then hear my imprecations——"He on whom thou art medi-"tating, on whom alone thy heart is now fixed, while thou neglecteſt "a pure gem of devotion who demands hoſpitality, ſhall forget thee, "when thou ſeeſt him next, as a man reſtored to ſobriety forgets the "words which he uttered in a ſtate of intoxication."

[*Both damſels look at each other with affliction.*

*Pri.* Wo is me! Dreadful calamity! Our beloved friend has, through mere abſence of mind, provoked by her neglect, ſome holy man who expected reverence.

*Anu.* [*Looking.*] It muſt be ſo; for the cholerick Durváſas is going haſtily back.

*Pri.* Who elſe has power to conſume, like raging fire, whatever offends him? Go, my Anuſúyá; fall at his feet, and perſuade him, if poſſible, to return: in the mean time I will prepare water and refreſhments for him.

*Anu.* I go with eagerneſs. [*She goes out.*

*Pri.* [*Advancing haſtily, her foot ſlips.*] Ah! through my eager haſte I have

I have let the baſket fall; and my religious duties muſt not be poſtponed. [*She gathers freſh flowers.*

Anuſúyá *re-enters.*

*Anu.* His wrath, my beloved, paſſes all bounds.—Who living could now appeaſe him by the humbleſt proſtrations or entreaties? yet at laſt he a little relented.

*Pri.* That little is a great deal for him.—But inform me how you ſoothed him in any degree.

*Anu.* When he poſitively refuſed to come back, I threw myſelf at his feet, and thus addreſſed him: "Holy ſage, forgive, I entreat, the "offence of an amiable girl, who has the higheſt veneration for you, "but was ignorant, through diſtraction of mind, how exalted a perſon- "age was calling to her."

*Pri.* What then? What ſaid he?

*Anu.* He anſwered thus: "My word muſt not be recalled; but the "ſpell which it has raiſed ſhall be wholly removed when her lord "ſhall ſee his ring." Saying this, he diſappeared.

*Pri.* We may now have confidence; for before the monarch departed, he fixed with his own hand on the finger of Sacontalá the ring, on which we ſaw the name Duſhmanta engraved, and which we will inſtantly recognize. On him therefore alone will depend the remedy for our misfortune.

*Anu.* Come, let us now proceed to the ſhrines of the goddeſſes, and implore their ſuccour. [*Both advance.*

*Pri.* [*Looking.*] See, my Anuſúyá, where our beloved friend ſits, motionleſs as a picture, ſupporting her languid head with her left hand. With a mind ſo intent on one object, ſhe can pay no attention to herſelf, much leſs to a ſtranger.

*Anu.* Let the horrid imprecation, Priyamvadá, remain a ſecret between us two: we muſt ſpare the feelings of our beloved, who is naturally ſuſceptible of quick emotions.

*Pri.*

*Pri.* Who would pour boiling water on the bloſſom of a tender Mallicá ? [*Both go out.*

*A* Pupil *of* Canna *enters.*

*Pup.* I am ordered by the venerable Canna, who is returned from the place of his pilgrimage, to obſerve the time of the night, and am, therefore, come forth to ſee how much remains of it.—[*Walking round, and obſerving the heavens.*]—On one ſide, the moon, who kindles the flowers of the Oſhadhì, has nearly ſunk in his weſtern bed; and, on the other, the ſun, ſeated behind his charioteer Arun, is beginning his courſe: the luſtre of them both is conſpicuous, when they riſe and when they ſet; and by their example ſhould men be equally firm in proſperous and in adverſe fortune.—The moon has now diſappeared, and the night flower pleaſes no more: it leaves only a remembrance of its odour, and languiſhes like a tender bride whoſe pain is intolerable in the abſence of her beloved.—The ruddy morn impurples the dew drops on the branches of yonder Vadarí; the peacock, ſhaking off ſleep, haſtens from the cottages of hermits interwoven with holy graſs; and yonder antelope, ſpringing haſtily from the place of ſacrifice, which is marked with his hoofs, raiſes himſelf on high, and ſtretches his graceful limbs.—How is the moon fallen from the ſky with diminiſhed beams! the moon who had ſet his foot on the head of Suméru, king of mountains, and had climbed, ſcattering the rear of darkneſs, even to the central palace of Viſhnu!—Thus do the great men of this world aſcend with extreme labour to the ſummit of ambition, but eaſily and quickly deſcend from it.

Anuſúyá *enters meditating.*

*Anu.* [*Aſide.*] Such has been the affection of Sacontalá, though ſhe was bred in auſtere devotion, averſe from ſenſual enjoyments!—How unkind was the king to leave her!

*Pup.*

*Pup.* [*Aſide.*] The proper time is come for performing the hóma: I muſt appriſe our preceptor of it. [*He goes out.*

*Anu.* The ſhades of night are diſperſed; and I am hardly awake; but where I ever ſo perfectly in my ſenſes, what could I now do? My hands move not readily to the uſual occupations of the morning.—Let the blame be caſt on love, on love only, by whom our friend has been reduced to her preſent condition, through a monarch who has broken his word.—Or does the imprecation of Durváſas already prevail?—How elſe could a virtuous king, who made ſo ſolemn an engagement, have ſuffered ſo long a time to elapſe without ſending even a meſſage?—Shall we convey the fatal ring to him?—Or what expedient can be ſuggeſted for the relief of this incomparable girl, who mourns without ceaſing?—Yet what fault has ſhe committed?—With all my zeal for her happineſs, I cannot ſummon courage enough to inform our father Canna that ſhe is pregnant.—What then, oh! what ſtep can I take to relieve her anxiety?

Priyamvadá *enters.*

*Pri.* Come, Anuſúyá, come quickly. They are making ſuitable preparations for conducting Sacontalá to her huſband's palace.

*Anu.* [*With ſurpriſe.*] What ſay you, my friend?

*Pri.* Hear me. I went juſt now to Sacontalá, meaning only to aſk if ſhe had ſlept well——

*Anu.* What then? oh! what then?

*Pri.* She was ſitting with her head bent on her knee, when our father Canna, entering her apartment, embraced and congratulated her. —"My ſweet child," ſaid he, "there has been a happy omen: the "young Bráhmen who officiated in our morning ſacrifice, though his "ſight was impeded by clouds of ſmoke, dropped the clarified butter "into the very centre of the adorable flame.—Now, ſince the pious act "of my pupil has proſpered, my foſter child muſt not be ſuffered any "longer to languiſh in ſorrow; and this day I am determined to ſend

"thee

" thee from the cottage of the old hermit who bred thee up, to the " palace of the monarch who has taken thee by the hand."

*Anu.* My friend, who told Canna what paſſed in his abſence?

*Pri.* When he entered the place where the holy fire was blazing he heard a voice from heaven pronouncing divine meaſures.—

*Anu.* [*Amazed.*] Ah! you aſtoniſh me.

*Pri.* Hear the celeſtial verſe:—" Know that thy adopted daughter, " O pious Bráhmen, has received from Duſhmanta a ray of glory " deſtined to rule the world; as the wood Samì becomes pregnant with " myſterious fire."

*Anu.* [*Embracing* Priyamvadá.] I am delighted, my beloved; I am tranſported with joy. But—ſince they mean to deprive us of our friend ſo ſoon as to-day, I feel that my delight is at leaſt equalled by my ſorrow.

*Pri.* Oh! we muſt ſubmit patiently to the anguiſh of parting. Our beloved friend will now be happy; and that ſhould conſole us.

*Anu.* Let us now make haſte to dreſs her in bridal array. I have already, for that purpoſe, filled the ſhell of a cocoa nut, which you ſee fixed on an Amra tree, with the fragrant duſt of Nágacéſaras: take it down, and keep it in a freſh lotos leaf, whilſt I collect ſome Góráchana from the forehead of a ſacred cow, ſome earth from conſecrated ground, and ſome freſh Cuſa graſs, of which I will make a paſte to enſure good fortune.

*Pri.* By all means. [*She takes down the perfume.*—Anuſúyá *goes out.*

*Behind the ſcenes.* O Gautamí, bid the two Miſras, Sárngarava and Sáradwata, make ready to accompany my child Sacontalá.

*Pri.* [*Liſtening.*] Loſe no time, Anuſúyá, loſe no time. Our father Canna is giving orders for the intended journey to Haſtinápura.

Anuſúyá *re-enters with the ingredients of her charm.*

*Anu.* I am here: let us go, my Priyamvadá.

[*They both advance.*

Pri.

*Pri.* [*Looking.*] There ſtands our Sacontalá, after her bath at ſunriſe, while many holy women, who are congratulating her, carry baſkets of hallowed grain.—Let us haſten to greet her.

*Enter* Sacontalá, Gautamí, *and female Hermits.*

*Sac.* I proſtrate myſelf before the goddeſs.

*Gaut.* My child, thou canſt not pronounce too often the word goddeſs : thus wilt thou procure great felicity for thy lord.

*Herm.* Mayſt thou, O royal bride, be delivered of a hero !

[*The* Hermits *go out.*

*Both damſels.* [*Approaching* Sacontalá.] Beloved friend, was your bath pleaſant ?

*Sac.* O ! my friends, you are welcome : let us ſit a while together.

[*They ſeat themſelves.*

*Anu.* Now you muſt be patient, whilſt I bind on a charm to ſecure your happineſs.

*Sac.* That is kind.—Much has been decided this day : and the pleaſure of being thus attended by my ſweet friends will not ſoon return.

[*Wiping off her tears.*

*Pri.* Beloved, it is unbecoming to weep at a time when you are going to be ſo happy.—[*Both damſels burſt into tears as they dreſs her.*]—Your elegant perſon deſerves richer apparel : it is now decorated with ſuch rude flowers as we could procure in this foreſt.

Canna's Pupil *enters with rich clothes.*

*Pup.* Here is a complete dreſs. Let the queen wear it auſpiciouſly ; and may her life be long ! [*The women look with aſtoniſhment.*

*Gaut.* My ſon, Hárita, whence came this apparel ?

*Pup.* From the devotion of our father Canna.

*Gaut.* What doſt thou mean ?

*Pup.* Be attentive. The venerable ſage gave this order : "Bring "freſh flowers for Sacontalá from the moſt beautiful trees ;" and ſuddenly

denly the woodnymphs appeared, raiſing their hands, which rivalled new leaves in beauty aud ſoftneſs. Some of them wove a lower mantle bright as the moon, the preſage of her felicity; another preſſed the juice of Lácſhà to ſtain her feet exquiſitely red; the reſt were buſied in forming the gayeſt ornaments; and they eagerly ſhowered their gifts on us.

*Pri.* [*Looking at* Sacontalá.] Thus it is, that even the bee, whoſe neſt is within the hollow trunk, does homage to the honey of the lotos flower.

*Gaut.* The nymphs muſt have been commiſſioned by the goddeſs of the king's fortune, to predict the acceſſion of brighter ornaments in his palace. [Sacontalá *looks modeſt.*

*Pup.* I muſt haſten to Canna, who is gone to bathe in the Málinì, and let him know the ſignal kindneſs of the woodnymphs.

[*He goes out.*

*Anu.* My ſweet friend, I little expected ſo ſplendid a dreſs:—how ſhall I adjuſt it properly?—[*Conſidering.*]—Oh! my ſkill in painting will ſupply me with ſome hints; and I will diſpoſe the drapery according to art.

*Sac.* I well know your affection for him.

Canna *enters meditating.*

*Can.* [*Aſide.*] This day muſt Sacontalá depart: that is reſolved; yet my ſoul is ſmitten with anguiſh.—My ſpeech is interrupted by a torrent of tears, which my reaſon ſuppreſſes and turns inward: my very ſight is dimmed.—Strange that the affliction of a foreſter, retired from the haunts of men, ſhould be ſo exceſſive!—Oh, with what pangs muſt they who are fathers of families, be afflicted on the departure of a daughter! [*He walks round muſing.*

*Pri.* Now, my Sacontalá, you are becomingly decorated: put on this lower veſt, the gift of ſylvan goddeſſes.

[Sacontalá *riſes and puts on the mantle.*

*Gaut.*

*Gaut*. My child, thy ſpiritual father, whoſe eyes overflow with tears of joy, ſtands deſiring to embrace thee. Haſten therefore to do him reverence. [Sacontalá *modeſtly bows to him.*

*Can*. Mayſt thou be cheriſhed by thy huſband, as Sarmiſhthà was cheriſhed by Yayáti! Mayſt thou bring forth a ſovereign of the world, as ſhe brought forth Puru!

*Gaut*. This, my child, is not a mere benediction; it is a boon actually conferred.

*Can*. My beſt beloved, come and walk with me round the ſacrificial fire.—[*They all advance.*]—May theſe fires preſerve thee! Fires which ſpring to their appointed ſtations on the holy hearth, and conſume the conſecrated wood, while the freſh blades of myſterious Cuſa lie ſcattered around them!—Sacramental fires, which deſtroy ſin with the riſing fumes of clarified butter!—[Sacontalá *walks with ſolemnity round the hearth.*]—Now ſet out, my darling, on thy auſpicious journey.—[*Looking round.*]—Where are the attendants, the two Miſras?

*Enter* Sárngarava *and* Sáradwata.

*Both*. Holy ſage, we are here.

*Can*. My ſon, Sárngarava, ſhow thy ſiſter her way.

*Sárn*. Come, damſel.—— [*They all advance.*

*Can*. Hear, all ye trees of this hallowed foreſt; ye trees, in which the ſylvan goddeſſes have their abode; hear, and proclaim, that Sacontalá is going to the palace of her wedded lord; ſhe who drank not, though thirſty, before you were watered; ſhe who cropped not, through affection for you, one of your freſh leaves, though ſhe would have been pleaſed with ſuch an ornament for her locks; ſhe whoſe chief delight was in the ſeaſon when your branches are ſpangled with flowers!

CHORUS *of inviſible* WOODNYMPHS.

May her way be attended with proſperity! May propitious breezes ſprinkle,

ſprinkle, for her delight, the odoriferous duſt of rich bloſſoms! May pools of clear water, green with the leaves of the lotos, refreſh her as ſhe walks! and may ſhady branches be her defence from the ſcorching ſun-beams! [*All liſten with admiration.*

*Sárn.* Was that the voice of the Cócila wiſhing a happy journey to Sacontalá?—Or did the nymphs, who are allied to the pious inhabitants of theſe woods, repeat the warbling of the muſical bird, and make its greeting their own?

*Gaut.* Daughter, the ſylvan goddeſſes, who love their kindred hermits, have wiſhed you proſperity, and are entitled to humble thanks.

[Sacontalá *walks round, bowing to the nymphs.*

*Sac.* [*Aſide to* Priyamvadá.] Delighted as I am, O Priyamvadá, with the thought of ſeeing again the ſon of my lord, yet, on leaving this grove, my early aſylum, I am ſcarce able to walk.

*Pri.* You lament not alone.——Mark the affliction of the foreſt itſelf when the time of your departure approaches!——The female antelope browſes no more on the collected Cuſa graſs; and the peahen ceaſes to dance on the lawn: the very plants of the grove, whoſe pale leaves fall on the ground, loſe their ſtrength and their beauty.

*Sac.* Venerable father, ſuffer me to addreſs this Mádhaví creeper, whoſe red bloſſoms inflame the grove.

*Can.* My child, I know thy affection for it.

*Sac.* [*Embracing the plant.*] O moſt radiant of twining plants, receive my embraces, and return them with thy flexible arms: from this day, though removed to a fatal diſtance, I ſhall for ever be thine.—O beloved father, conſider this creeper as myſelf.

*Can.* My darling, thy amiable qualities have gained thee a huſband equal to thyſelf: ſuch an event has been long, for thy ſake, the chief object of my heart; and now, ſince my ſolicitude for thy marriage is at an end, I will marry thy favourite plant to the bridegroom Amra, who ſheds fragrance near her.——Proceed, my child, on thy journey.

*Sac.*

*Sac.* [*Approaching the two damſels.*] Sweet friends, let this Mádhaví creeper be a precious depoſit in your hands.

*Anu. and Pri.* Alas! in whoſe care ſhall we be left? [*They both weep.*

*Can.* Tears are vain, Anuſúyá: our Sacontalá ought rather to be ſupported by your firmneſs, than weakened by your weeping.

[*All advance.*

*Sac.* Father! when yon female antelope, who now moves ſlowly from the weight of the young ones with which ſhe is pregnant, ſhall be delivered of them, ſend me, I beg, a kind meſſage with tidings of her ſafety.——Do not forget.

*Can.* My beloved, I will not forget it.

*Sac.* [*Advancing, then ſtopping.*] Ah! what is it that clings to the ſkirts of my robe, and detains me? [*She turns round, and looks.*

*Can.* It is thy adopted child, the little fawn, whoſe mouth, when the ſharp points of Cuſa graſs had wounded it, has been ſo often ſmeared by thy hand with the healing oil of Ingudì; who has been ſo often fed by thee with a handful of Syámáka grains, and now will not leave the footſteps of his protectreſs.

*Sac.* Why doſt thou weep, tender fawn, for me, who muſt leave our common dwelling-place?—As thou waſt reared by me when thou hadſt loſt thy mother, who died ſoon after thy birth, ſo will my foſter-father attend thee, when we are ſeparated, with anxious care.—Return, poor thing, return—we muſt part. [*She burſts into tears.*

*Can.* Thy tears, my child, ill ſuit the occaſion: we ſhall all meet again: be firm: ſee the direct road before thee, and follow it.—When the big tear lurks beneath thy beautiful eyelaſhes, let thy reſolution check its firſt efforts to diſengage itſelf.—In thy paſſage over this earth, where the paths are now high, now low, and the true path ſeldom diſtinguiſhed, the traces of thy feet muſt needs be unequal; but virtue will preſs thee right onward.

*Sárn.* It is a ſacred rule, holy ſage, that a benevolent man ſhould accompany

company a traveller till he meet with abundance of water; and that rule you have carefully obſerved: we are now near the brink of a large pool. Give us, therefore, your commands, and return.

*Can.* Let us reſt a while under the ſhade of this Vata tree——[*They all go to the ſhade.*]—What meſſage can I ſend with propriety to the noble Duſhmanta? [*He meditates.*

*Anu.* [*Aſide to* Sacontalá.] My beloved friend, every heart in our aſylum is fixed on you alone, and all are afflicted by your departure.—Look; the bird Chacraváca, called by his mate, who is almoſt hidden by water lilies, gives her no anſwer; but having dropped from his bill the fibres of lotos ſtalks which he had plucked, gazes on you with inexpreſſible tenderneſs.

*Can.* My ſon Sárngarava, remember, when thou ſhalt preſent Sacontalá to the king, to addreſs him thus, in my name: "Conſidering us "hermits as virtuous, indeed, but rich only in devotion, and conſidering "alſo thy own exalted birth, retain thy love for this girl, which aroſe "in thy boſom without any interference of her kindred; and look on "her among thy wives with the ſame kindneſs which they experience: "more than that cannot be demanded; ſince particular affection muſt "depend on the will of heaven."

*Sárn.* Your meſſage, venerable man, is deeply rooted in my remembrance.

*Can.* [*Looking tenderly at* Sacontalá.] Now, my darling, thou too muſt be gently admoniſhed.—We, who are humble foreſters, are yet acquainted with the world which we have forſaken.

*Sárn.* Nothing can be unknown to the wiſe.

*Can.* Hear, my daughter——When thou art ſettled in the manſion of thy huſband, ſhow due reverence to him, and to thoſe whom he reveres: though he have other wives, be rather an affectionate handmaid to them than a rival.—Should he diſpleaſe thee, let not thy reſentment lead thee to diſobedience.——In thy conduct to thy domeſticks be rigidly juſt and impartial;

impartial; and ſeek not eagerly thy own gratifications.——By ſuch behaviour young women become reſpectable; but perverſe wives are the bane of a family.——What thinks Gautamí of this leſſon?

*Gaut.* It is incomparable:——my child, be ſure to remember it.

*Can.* Come, my beloved girl, give a parting embrace to me and to thy tender companions.

*Sac.* Muſt Anuſúyá and Priyamvadá return to the hermitage?

*Can.* They too, my child, muſt be ſuitably married; and it would not be proper for them yet to viſit the city; but Gautamí will accompany thee.

*Sac.* [*Embracing him.*] Removed from the boſom of my father, like a young ſandal tree, rent from the hills of Malaya, how ſhall I exiſt in a ſtrange ſoil?

*Can.* Be not ſo anxious. When thou ſhalt be miſtreſs of a family, and conſort of a king, thou mayſt, indeed, be occaſionally perplexed by the intricate affairs which ariſe from exuberance of wealth, but wilt then think lightly of this tranſient affliction, eſpecially when thou ſhalt have a ſon (and a ſon thou wilt have) bright as the riſing day-ſtar.——Know alſo with certainty, that the body muſt neceſſarily, at the appointed moment, be ſeparated from the ſoul: who, then, can be immoderately afflicted, when the weaker bounds of extrinſick relations are looſened, or even broken.

*Sac.* [*Falling at his feet.*] My father, I thus humbly declare my veneration for you.

*Can.* Excellent girl, may my effort for thy happineſs prove ſucceſsful.

*Sac.* [*Approaching her two companions.*] Come, then, my beloved friends, embrace me together. [*They embrace her.*

*Anu.* My friend, if the virtuous monarch ſhould not at once recollect you, only ſhow him the ring on which his own name is engraved.

*Sac.* [*Starting.*] My heart flutters at the bare apprehenſion which you have raiſed.

*Pri.*

*Pri.* Fear not, ſweet Sacontalá: love always raiſes ideas of miſery, which are ſeldom or never realiſed.

*Sárn.* Holy ſage, the ſun has riſen to a conſiderable height: let the queen haſten her departure.

*Sac.* [*Again embracing* Canna.] When, my father, oh! when again ſhall I behold this aſylum of virtue?

*Can.* Daughter, when thou ſhalt long have been wedded, like this fruitful earth, to the pious monarch, and ſhalt have borne him a ſon, whoſe car ſhall be matchleſs in battle, thy lord ſhall transfer to him the burden of empire, and thou, with thy Duſhmanta, ſhalt again ſeek tranquillity, before thy final departure, in this loved and conſecrated grove.

*Gaut.* My child, the proper time for our journey paſſes away rapidly: ſuffer thy father to return.——Go, venerable man, go back to thy manſion, from which ſhe is doomed to be ſo long abſent.

*Can.* Sweet child, this delay interrupts my religious duties.

*Sac.* You, my father, will perform them long without ſorrow; but I, alas! am deſtined to bear affliction.

*Can.* O! my daughter, compel me not to neglect my daily devotions. ——[*Sighing.*]—No, my ſorrow will not be diminiſhed.—Can it ceaſe, my beloved, when the plants which riſe luxuriantly from the hallowed grains which thy hand has ſtrown before my cottage, are continually in my ſight?—Go, may thy journey proſper.

[Sacontalá *goes out with* Gautamí *and the two Miſras.*

*Both damſels.* [*Looking after* Sacontalá *with anguiſh.*] Alas! alas! our beloved is hidden by the thick trees.

*Can.* My children, ſince your friend is at length departed, check your immoderate grief, and follow me. [*They all turn back.*

*Both.* Holy father, the grove will be a perfect vacuity without Sacontalá.

*Can.* Your affection will certainly give it that appearance.——[*He walks*

*walks round, meditating.*]—Ah me!—Yes; at laſt my weak mind has attained its due firmneſs after the departure of my Sacontalá.—In truth a daughter muſt ſooner or later be the property of another; and, having now ſent her to her lord, I find my ſoul clear and undiſturbed, like that of a man who has reſtored to its owner an ineſtimable depoſit which he long had kept with ſolicitude. [*They go out.*

## ACT V.

### SCENE—*The* PALACE.

*An old* Chamberlain, *ſighing.*

*Chamberlain.*

ALAS! what a decrepit old age have I attained!——This wand, which I firſt held for the diſcharge of my cuſtomary duties in the ſecret apartments of my prince, is now my ſupport, whilſt I walk feebly through the multitude of years which I have paſſed.——I muſt now mention to the king, as he goes through the palace, an event which concerns himſelf: it muſt not be delayed.—[*Advancing ſlowly.*]—What is it?—Oh! I recollect: the devout pupils of Canna deſire an audience.—How ſtrange a thing is human life!—The intellects of an old man ſeem at one time luminous, and then on a ſudden are involved in darkneſs, like the flame of a lamp at the point of extinction.——[*He walks round and looks.*]—There is Duſhmanta: he has been attending to his people, as to his own family; and now with a tranquil heart ſeeks a ſolitary chamber; as an elephant the chief of his herd, having grazed the whole morning, and being heated by the meridian ſun, repairs to a cool ſtation during the oppreſſive heats.——Since the king is juſt riſen from his tribunal, and muſt be fatigued, I am almoſt afraid to inform him at preſent that Canna's pupils are arrived: yet how ſhould they who ſupport nations enjoy reſt?—The ſun yokes his bright ſteeds for the labour of many hours; the gale breathes by night and by day; the prince of ſerpents continually ſuſtains the weight of this earth; and equally inceſſant is the toil of that man, whoſe revenue ariſes from a ſixth part of his people's income. [*He walks about.*

*Enter*

*Enter* Dushmanta, Mádhavya, *and Attendants.*

*Dushm.* [*Looking oppressed with business.*] Every petitioner having attained justice, is departed happy; but kings who perform their duties conscientiously are afflicted without end.—The anxiety of acquiring dominion gives extreme pain; and when it is firmly established, the cares of supporting the nation incessantly harass the sovereign; as a large umbrella, of which a man carries the staff in his own hand, fatigues while it shades him.

*Behind the scenes.* May the king be victorious!

*Two* Bards *repeat stanzas.*

*First Bard.* Thou seekest not thy own pleasure: no; it is for the people that thou art harassed from day to day. Such, when thou wast created, was the disposition implanted in thy soul! Thus a branchy tree bears on his head the scorching sunbeams, while his broad shade allays the fever of those who seek shelter under him.

*Second Bard.* When thou wieldest the rod of justice, thou bringest to order all those who have deviated from the path of virtue: thou biddest contention cease: thou wast formed for the preservation of thy people: thy kindred possess, indeed, considerable wealth; but so boundless is thy affection, that all thy subjects are considered by thee as thy kinsmen.

*Dushm.* [*Listening.*] That sweet poetry refreshes me after the toil of giving judgements and publick orders.

*Mádh.* Yes; as a tired bull is refreshed when the people say, "There goes the lord of cattle."

*Dushm.* [*Smiling.*] Oh! art thou here, my friend: let us take our seats together. [*The king and* Mádhavya *sit down.—Musick behind the scenes.*

*Mádh.* Listen, my royal friend. I hear a well-tuned Víná sounding, as if it were in concert with the lutes of the gods, from yonder apartment.—The queen Hansamatì is preparing, I imagine, to greet you with a new song.

*Dushm.*

*Duſhm.* Be ſilent, that I may liſten.

*Cham.* [*Aſide.*] The king's mind ſeems intent on ſome other buſineſs. I muſt wait his leiſure. [*Retiring on one ſide.*

SONG. [*Behind the ſcenes.*]

"Sweet bee, who, deſirous of extracting freſh honey, waſt wont to "kiſs the ſoft border of the new-blown Amra flower, how canſt thou "now be ſatisfied with the water lily, and forget the firſt object of thy "love?"

*Duſhm.* The ditty breathes a tender paſſion.

*Mádh.* Does the king know its meaning? It is too deep for me.

*Duſhm.* [*Smiling.*] I was once in love with Hanſamatì, and am now reproved for continuing ſo long abſent from her.—Friend Mádhavya, inform the queen in my name that I feel the reproof.

*Mádh.* As the king commands; but—[*Riſing ſlowly.*]—My friend, you are going to ſeize a ſharp lance with another man's hand. I cannot reliſh your commiſſion to an enraged woman.—A hermit cannot be happy till he has taken leave of all paſſions whatever.

*Duſhm.* Go, my kind friend: the urbanity of thy diſcourſe will appeaſe her.

*Mádh.* What an errand! [*He goes out.*

*Duſhm.* [*Aſide.*] Ah! what makes me ſo melancholy on hearing a mere ſong on abſence, when I am not in fact ſeparated from any real object of my affection?—Perhaps the ſadneſs of men, otherwiſe happy, on ſeeing beautiful forms and liſtening to ſweet melody, ariſes from ſome faint remembrance of paſt joys and the traces of connections in a former ſtate of exiſtence. [*He ſits penſive and ſorrowful.*

*Cham.* [*Advancing humbly.*] May our ſovereign be victorious!—Two religious men, with ſome women, are come from their abode in a foreſt near the Snowy Mountains, and bring a meſſage from Canna.—The king will command.

*Duſhm.*

*Duſhm.* [*Surpriſed.*] What! are pious hermits arrived in the company of women?

*Cham.* It is even ſo.

*Duſhm.* Order the prieſt Sómaratá, in my name, to ſhew them due reverence in the form appointed by the Véda; and bid him attend me. I ſhall wait for my holy gueſts in a place fit for their reception.

*Cham.* I obey. [*He goes out.*

*Duſhm.* Wardour, point the way to the hearth of the conſecrated fire.

*Ward.* This, O king, this is the way.—[*He walks before.*]—Here is the entrance of the hallowed encloſure; and there ſtands the venerable cow to be milked for the ſacrifice, looking bright from the recent ſprinkling of myſtick water.—Let the king aſcend.

[Duſhmanta *is raiſed to the place of ſacrifice on the ſhoulders of his Wardours.*

*Duſhm.* What meſſage can the pious Canna have ſent me?—Has the devotion of his pupils been impeded by evil ſpirits—or by what other calamity?—Or has any harm, alas! befallen the poor herds who graze in the hallowed foreſt?—Or have the ſins of the king tainted the flowers and fruits of the creepers planted by female hermits?—My mind is entangled in a labyrinth of confuſed apprehenſions.

*Ward.* What our ſovereign imagines, cannot poſſibly have happened; ſince the hermitage has been rendered ſecure from evil by the mere ſound of his bowſtring. The pious men, whom the king's benevolence has made happy, are come, I preſume, to do him homage.

*Enter* Sárngarava, Sáradwata *and* Gautamí, *leading* Sacontalá *by the hand; and before them the old* Chamberlain *and the* Prieſt.

*Cham.* This way, reſpectable ſtrangers; come this way.

*Sárn.* My friend Sáradwata, there ſits the king of men, who has felicity at command, yet ſhows equal reſpect to all: here no ſubject, even of the loweſt claſs, is received with contempt. Nevertheleſs, my ſoul having

having ever been free from attachment to worldly things, I consider this hearth, although a crowd now surround it, as the station merely of consecrated fire.

*Sárad.* I was not less confounded than yourself on entering the populous city; but now I look on it, as a man just bathed in pure water, on a man smeared with oil and dust, as the pure on the impure, as the waking on the sleeping, as the free man on the captive, as the independent on the slave.

*Priest.* Thence it is, that men, like you two, are so elevated above other mortals.

*Sac.* [*Perceiving a bad omen.*] Venerable mother, I feel my right eye throb! What means this involuntary motion?

*Gaut.* Heaven avert the omen, my sweet child! May every delight attend thee! [*They all advance.*

*Priest.* [*Shewing the king to them.*] There, holy men, is the protector of the people; who has taken his seat, and expects you.

*Sárn.* This is what we wished; yet we have no private interest in the business. It is ever thus: trees are bent by the abundance of their fruit; clouds are brought low, when they teem with salubrious rain; and the real benefactors of mankind are not elated by riches.

*Ward.* O king, the holy guests appear before you with placid looks, indicating their affection.

*Dushm.* [*Gazing at* Sacontalá.] Ah! what damsel is that, whose mantle conceals the far greater part of her beautiful form?—She looks, among the hermits, like a fresh green bud among faded and yellow leaves.

*Ward.* This at least, O king, is apparent; that she has a form which deserves to be seen more distinctly.

*Dushm.* Let her still be covered: she seems pregnant; and the wife of another must not be seen even by me.

*Sac.* [*Aside, with her hand to her bosom.*] O my heart, why dost thou palpitate?—Remember the beginning of thy lord's affection, and be tranquil.

*Priest.* May the king prosper! The respectable guests have been honoured

honoured as the law ordains; and they have now a meſſage to deliver from their ſpiritual guide: let the king deign to hear it.

*Duſhm.* [*With reverence.*] I am attentive.

*Both Miſras.* [*Extending their hands.*] Victory attend thy banners!

*Duſhm.* I reſpectfully greet you both.

*Both.* Bleſſings on our ſovereign!

*Duſhm.* Has your devotion been uninterrupted?

*Sárn.* How ſhould our rites be diſturbed, when thou art the preſerver of all creatures? How, when the bright ſun blazes, ſhould darkneſs cover the world?

*Duſhm.* [*Aſide.*] The name of royalty produces, I ſuppoſe, all worldly advantages!—[*Aloud.*]—Does the holy Canna then proſper?

*Sárn.* O king, they who gather the fruits of devotion may command proſperity. He firſt inquires affectionately whether thy arms are ſucceſſful, and then addreſſes thee in theſe words:—

*Duſhm.* What are his orders?

*Sárn.* "The contract of marriage, reciprocally made between thee "and this girl, my daughter, I confirm with tender regard; ſince thou "art celebrated as the moſt honourable of men, and my Sacontalá is "Virtue herſelf in a human form, no blaſphemous complaint will "henceforth be made againſt Brahmá for ſuffering diſcordant matches: "he has now united a bride and bridegroom with qualities equally tran- "ſcendent.—Since, therefore, ſhe is pregnant by thee, receive her in "thy palace, that ſhe may perform, in conjunction with thee, the "duties preſcribed by religion."

*Gaut.* Great king, thou haſt a mild aſpect; and I wiſh to addreſs thee in few words.

*Duſhm.* [*Smiling.*] Speak, venerable matron.

*Gaut.* She waited not the return of her ſpiritual father; nor were thy kindred conſulted by thee. You two only were preſent, when your nuptials were ſolemnized: now, therefore, converſe freely together in the abſence of all others.

*Sac.*

*Sac.* [*Aside.*] What will my lord say?

*Dushm.* [*Aside, perplexed.*] How strange an adventure!

*Sac.* [*Aside.*] Ah me! how disdainfully he seems to receive the message!

*Sárn.* [*Aside.*] What means that phrase which I overheard, "How strange an adventure?"—[*Aloud.*]—Monarch, thou knowest the hearts of men. Let a wife behave ever so discreetly, the world will think ill of her, if she live only with her paternal kinsmen; and a lawful wife now requests, as her kindred also humbly entreat, that whether she be loved or not, she may pass her days in the mansion of her husband.

*Dushm.* What sayest thou!—Am I the lady's husband?

*Sac.* [*Aside, with anguish.*] O my heart, thy fears have proved just.

*Sárn.* Does it become a magnificent prince to depart from the rules of religion and honour, merely because he repents of his engagements?

*Dushm.* With what hope of success could this groundless fable have been invented?

*Sárn.* [*Angrily.*] The minds of those whom power intoxicates are perpetually changing.

*Dushm.* I am reproved with too great severity.

*Gaut.* [*To* Sacontalá.] Be not ashamed, my sweet child: let me take off thy mantle, that the king may recollect thee. [*She unveils her.*

*Dushm.* [*Aside, looking at* Sacontalá.] While I am doubtful whether this unblemished beauty which is displayed before me has not been possessed by another, I resemble a bee fluttering at the close of night over a blossom filled with dew; and in this state of mind, I neither can enjoy nor forsake her.

*Ward.* [*Aside to* Dushmanta.] The king best knows his rights and his duties: but who would hesitate when a woman, bright as a gem, brings lustre to the apartments of his palace?

*Sárn.* What, O king, does thy strange silence import?

*Dushm.* Holy man, I have been meditating again and again, but have no recollection of my marriage with this lady. How then can I lay aside all

all conſideration of my military tribe, and admit into my palace a young woman who is pregnant by another huſband?

*Sac.* [*Aſide.*] Ah! wo is me.—Can there be a doubt even of our nuptials?—The tree of my hope, which had riſen ſo luxuriantly, is at once broken down.

*Sárn.* Beware, leſt the godlike ſage, who would have beſtowed on thee, as a free gift, his ineſtimable treaſure, which thou hadſt taken, like a baſe robber, ſhould now ceaſe to think of thee, who art lawfully married to his daughter, and ſhould confine all his thoughts to her whom thy perfidy diſgraces.

*Sárad.* Reſt a while, my Sárngarava; and thou, Sacontalá, take thy turn to ſpeak; ſince thy lord has declared his forgetfulneſs.

*Sac.* [*Aſide.*] If his affection has ceaſed, of what uſe will it be to recall his remembrance of me?—Yet, if my ſoul muſt endure torment, be it ſo: I will ſpeak to him.——[*Aloud to* Duſhmanta.]—O my huſband!——[*Pauſing.*]—Or (if the juſt application of that ſacred word be ſtill doubted by thee) O ſon of Puru, is it becoming, that, having been once enamoured of me in the conſecrated foreſt, and having ſhown the exceſs of thy paſſion, thou ſhouldſt this day deny me with bitter expreſſions?

*Duſhm.* [*Covering his ears.*] Be the crime removed from my ſoul!—Thou haſt been inſtructed for ſome baſe purpoſe to vilify me, and make me fall from the dignity which I have hitherto ſupported; as a river which has burſt its banks and altered its placid current, overthrows the trees that had riſen aloft on them.

*Sac.* If thou ſayſt this merely from want of recollection, I will reſtore thy memory by producing thy own ring, with thy name engraved on it!

*Duſhm.* A capital invention!

*Sac.* [*Looking at her finger.*] Ah me! I have no ring.

[*She fixes her eyes with anguiſh on* Gautamí.]

*Gaut.* The fatal ring muſt have dropped, my child from thy hand, when

when thou tookeſt up water to pour on thy head in the pool of Sachítírt'ha, near the ſtation of Sacrávatára.

*Duſhm.* [*Smiling.*] So ſkilful are women in finding ready excuſes!

*Sac.* The power of Bramá muſt prevail: I will yet mention one circumſtance.

*Duſhm.* I muſt ſubmit to hear the tale.

*Sac.* One day, in a grove of Vétaſas, thou tookeſt water in thy hand from its natural vaſe of lotos leaves——

*Duſhm.* What followed?

*Sac.* At that inſtant a little fawn, which I had reared as my own child, approached thee; and thou ſaydſt with benevolence: "Drink "thou firſt, gentle fawn." He would not drink from the hand of a ſtranger, but received water eagerly from mine; when thou ſaidſt, with increaſing affection: "Thus every creature loves its companions; you "are both foreſters alike, and both alike amiable."

*Duſhm.* By ſuch intereſted and honied falſehoods are the ſouls of voluptuaries enſnared!

*Gaut.* Forbear, illuſtrious prince, to ſpeak harſhly. She was bred in a ſacred grove where ſhe learned no guile.

*Duſhm.* Pious matron, the dexterity of females, even when they are untaught, appears in thoſe of a ſpecies different from our own.—What would it be if they were duly inſtructed!—The female Cócilas, before they fly towards the firmament, leave their eggs to be hatched, and their young fed, by birds who have no relation to them.

*Sac.* [*With anger.*] Oh! void of honour, thou meaſureſt all the world by thy own bad heart. What prince ever reſembled, or ever will reſemble, thee, who weareſt the garb of religion and virtue, but in truth art a baſe deceiver; like a deep well whoſe mouth is covered with ſmiling plants!

*Duſhm.* [*Aſide.*] The ruſticity of her education makes her ſpeak thus angrily and inconſiſtently with female decorum.—She looks indignant; her

her eye glows; and her ſpeech, formed of harſh terms, faulters as ſhe utters them. Her lip, ruddy as the Bimba fruit, quivers as if it were nipped with froſt; and her eyebrows, naturally ſmooth and equal, are at once irregularly contracted.—Thus having failed in circumventing me by the apparent luſtre of ſimplicity, ſhe has recourſe to wrath, and ſnaps in two the bow of Cáma, which, if ſhe had not belonged to another, might have wounded me.—[*Aloud.*]—The heart of Duſhmanta, young woman, is known to all; and thine is betrayed by thy preſent demeanor.

*Sac.* [*Ironically.*] You kings are in all caſes to be credited implicitly: you perfectly know the reſpect which is due to virtue and to mankind; while females, however modeſt, however virtuous, know nothing, and ſpeak nothing truly.—In a happy hour I came hither to ſeek the object of my affection: in a happy moment I received the hand of a prince deſcended from Puru; a prince who had won my confidence by the honey of his words, whilſt his heart concealed the weapon that was to pierce mine. [*She hides her face and weeps.*

*Sárn.* This inſufferable mutability of the king's temper kindles my wrath.—Henceforth let all be circumſpect before they form ſecret connections: a friendſhip haſtily contracted, when both hearts are not perfectly known, muſt ere long become enmity.

*Duſhm.* Wouldſt thou force me then to commit an enormous crime, relying ſolely on her ſmooth ſpeeches?

*Sárn.* [*Scornfully.*] Thou has heard an anſwer.—The words of an incomparable girl, who never learned what iniquity was, are here to receive no credit; while they, whoſe learning conſiſts in accuſing others, and inquiring into crimes, are the only perſons who ſpeak truth!

*Duſhm.* O man of unimpeached veracity, I certainly am what thou deſcribeſt; but what would be gained by accuſing thy female aſſociate?

*Sárn.* Eternal miſery.

*Duſhm.* No; miſery will never be the portion of Puru's deſcendants.

*Sárn.* What avails our altercation?---O king, we have obeyed the commands of our preceptor, and now return. Sacontalá is by law thy wife,

wife, whether thou desert or acknowledge her; and the dominion of a husband is absolute.—Go before us, Gautamí.

[*The two Misras and* Gautamí *returning.*

*Sac.* I have been deceived by this perfidious man; but will you, my friends, will you also forsake me? [*Following them.*

*Gaut.* [*Looking back.*] My son, Sacontalá follows us with affectionate supplications. What can she do here with a faithless husband; she who is all tenderness?

*Sárn.* [*Angrily to* Sacontalá.] O wife, who seest the faults of thy lord, dost thou desire independence? [Sacontalá *stops, and trembles.*

*Sárad.* Let the queen hear. If thou beest what the king proclaims thee, what right hast thou to complain? But if thou knowest the purity of thy own soul, it will become thee to wait as a handmaid in the mansion of thy lord. Stay, then, where thou art: we must return to Canna.

*Dushm.* Deceive her not, holy men, with vain expectations. The moon opens the night flower; and the sun makes the water lily blossom: each is confined to its own object: and thus a virtuous man abstains from any connection with the wife of another.

*Sárn.* Yet thou, O king, who fearest to offend religion and virtue, art not afraid to desert thy wedded wife; pretending that the variety of thy publick affairs has made thee forget thy private contract.

*Dushm.* [*To his Priest.*] I really have no remembrance of any such engagement; and I ask thee, my spiritual counsellor, whether of the two offences be the greater, to forsake my own wife, or to have an intercourse with the wife of another?

*Priest.* [*After some deliberation.*] We may adopt an expedient between both.

*Dushm.* Let my venerable guide command.

*Priest.* The young woman may dwell till her delivery in my house.

*Dushm.* For what purpose?

*Priest.* Wise astrologers have assured the king, that he will be the father of an illustrious prince, whose dominion will be bounded by the western

weſtern and eaſtern ſeas: now, if the holy man's daughter ſhall bring forth a ſon whoſe hands and feet bear the marks of extenſive ſovereignty, I will do homage to her as my queen, and conduct her to the royal apartments; if not, ſhe ſhall return in due time to her father.

*Duſhm.* Be it as you judge proper.

*Prieſt.* [*To* Sacontalá.] This way, my daughter, follow me.

*Sac.* O earth! mild goddeſs, give me a place within thy boſom!

[*She goes out weeping with the Prieſt; while the two Miſras go out by a different way with* Gautamí——Duſhmanta *ſtands meditating on the beauty of* Sacontalá; *but the imprecation ſtill clouds his memory.*]

*Behind the ſcenes.* Oh! miraculous event!

*Duſhm.* [*Liſtening.*] What can have happened!

*The* Prieſt *re-enters.*

*Prieſt.* Hear, O king, the ſtupendous event. When Canna's pupils had departed, Sacontalá, bewailing her adverſe fortune, extended her arms and wept; when——

*Duſhm.* What then?

*Prieſt.* A body of light, in a female ſhape, deſcended near Apſaraſtírt'ha, where the nymphs of heaven are worſhiped; and having caught her haſtily in her boſom, diſappeared. [*All expreſs aſtoniſhment.*

*Duſhm.* I ſuſpected from the beginning ſome work of ſorcery.—The buſineſs is over; and it is needleſs to reaſon more on it.—Let thy mind, Sómaráta, be at reſt.

*Prieſt.* May the king be victorious. [*He goes out.*

*Duſhm.* Chamberlain, I have been greatly haraſſed; and thou, Warder, go before me to a place of repoſe.

*Ward.* This way; let the king come this way.

*Duſhm.* [*Advancing, aſide.*] I cannot with all my efforts recollect my nuptials with the daughter of the hermit; yet ſo agitated is my heart, that it almoſt induces me to believe her ſtory. [*All go out.*

ACT

## ACT VI.

### SCENE—*A* STREET.

*Enter a Superintendent of Police with two Officers, leading a man with his hands bound.*

*First Officer. Striking the prisoner.*

TAKE that, Cumbhílaca, if Cumbhílaca be thy name; and tell us now where thou gottest this ring, bright with a large gem, on which the king's name is engraved.

*Cumbh.* [*Trembling.*] Spare me, I entreat your honours to spare me: I am not guilty of so great a crime as you suspect.

*First Off.* O distinguished Bráhmen, didst thou then receive it from the king as a reward of some important service?

*Cumbh.* Only hear me: I am a poor fisherman dwelling at Sacrávatára——

*Second Off.* Did we ask, thou thief, about thy tribe or thy dwelling-place.

*Sup.* O Súchaca, let the fellow tell his own story.——Now conceal nothing, sirrah.

*First Off.* Dost thou hear? Do as our master commands.

*Cumbh.* I am a man who support my family by catching fish in nets, or with hooks, and by various other contrivances.

*Sup.* [*Laughing.*] A virtuous way of gaining a livelihood!

*Cumbh.* Blame me not, master. The occupation of our forefathers, how low soever, must not be forsaken; and a man who kills animals for sale may have a tender heart though his act be cruel.

*Sup.*

*Sup.* Go on, go on.

*Cumbh.* One day having caught a large Róhita fiſh, I cut it open, and ſaw this bright ring in its ſtomach; but when I offered to ſell it, I was apprehended by your honours. So far only am I guilty of taking the ring. Will you now continue beating and bruiſing me to death?

*Sup.* [*Smelling the ring.*] It is certain, Jáluca, that this gem has been in the body of a fiſh. The caſe requires conſideration; and I will mention it to ſome of the king's houſehold.

*Both Off.* Come on, cutpurſe. [*They advance.*

*Sup.* Stand here, Súchaca, at the great gate of the city, and wait for me, while I ſpeak to ſome of the officers in the palace.

*Both Off.* Go, Rájayucta. May the king favour thee.

[*The Superintendent goes out.*

*Second Off.* Our maſter will ſtay, I fear, a long while.

*Firſt Off.* Yes; acceſs to kings can only be had at their leiſure.

*Second Off.* The tips of my fingers itch, my friend Jáluca, to kill this cutpurſe.

*Cumbh.* You would put to death an innocent man.

*Firſt Off.* [*Looking.*] Here comes our maſter.—The king has decided quickly. Now, Cumbhílaca, you will either ſee your companions again, or be the food of ſhakàls and vultures.

*The Superintendent re-enters.*

*Sup.* Let the fiſherman immediately——

*Cumbh.* [*In an agony.*] Oh! I am a dead man.

*Sup.* ——be diſcharged.—Hola! ſet him at liberty. The king ſays he knows his innocence; and his ſtory is true.

*Second Off.* As our maſter commands.——The fellow is brought back from the manſion of Yama, to which he was haſtening.

[*Unbinding the fiſherman.*

*Cumbh.* [*Bowing.*] My lord, I owe my life to your kindneſs.

*Sup.* Riſe, friend; and hear with delight that the king gives thee a ſum of

of money equal to the full value of the ring: it is a fortune to a man in thy ſtation. [*Giving him the money.*

*Cumbh.* [*With rapture.*] I am tranſported with joy.

*Firſt Off.* This vagabond ſeems to be taken down from the ſtake, and ſet on the back of a ſtate elephant.

*Second Off.* The king, I ſuppoſe, has a great affection for his gem.

*Sup.* Not for its intrinſick value; but I gueſſed the cauſe of his ecſtaſy when he ſaw it.

*Both Off.* What could occaſion it?

*Sup.* I ſuſpect that it called to his memory ſome perſon who has a place in his heart; for though his mind be naturally firm, yet, from the moment when he beheld the ring, he was for ſome minutes exceſſively agitated.

*Second Off.* Our maſter has given the king extreme pleaſure.

*First Off.* Yes; and by the means of this fiſh-catcher.

[*Looking fiercely at him.*

*Cumbh.* Be not angry—Half the money ſhall be divided between you to purchaſe wine.

*Firſt Off.* Oh! now thou art our beloved friend.—Good wine is the firſt object of our affection.—Let us go together to the vintners.

[*They all go out.*

SCENE—*The* GARDEN *of the* PALACE.

*The Nymph* Miſracéſí *appears in the air.*

*Miſr.* My firſt taſk was duly performed when I went to bathe in the Nymphs' pool; and I now muſt ſee with my own eyes how the virtuous king is afflicted.——Sacontalá is dear to this heart, becauſe ſhe is the daughter of my beloved Ménacà, from whom I received both commiſſions. —[*She looks round.*]—Ah! on a day full of delights the monarch's family ſeem oppreſſed with ſome new ſorrow.——By exerting my ſupernatural power I could know what has paſſed; but reſpect muſt be ſhown to the deſire

desire of Ménacà. I will retire, therefore, among those plants, and observe what is done without being visible.

[*She descends, and takes her station.*

*Enter two Damsels, attendants on the God of Love.*

*First Dams.* [*Looking at an Amra flower.*] The blossoms of yon Amra, waving on the green stalk, are fresh and light as the breath of this vernal month. I must present the goddess Retí with a basket of them.

*Second Dams.* Why, my Parabhriticá, dost thou mean to present it alone?

*First Dams.* O my friend Madhucaricá, when a female Cócilà, which my name implies, sees a blooming Amra, she becomes entranced, and loses her recollection.

*Second Dams.* [*With transport.*] What! is the season of sweets actually returned?

*First Dams.* Yes; the season in which we must sing of nothing but wine and love.

*Second Dams.* Support me, then, while I climb up this tree, and strip it of its fragrant gems, which we will carry as an offering to Cáma.

*First Dams.* If I assist, I must have a moiety of the reward which the god will bestow.

*Second Dams.* To be sure, and without any previous bargain. We are only one soul, you know, though Brahmà has given it two bodies.——[*She climbs up, and gathers the flowers.*]—Ah! the buds are hardly opened. ——Here is one a little expanded, which diffuses a charming odour——[*Taking a handful of buds.*]—This flower is sacred to the god who bears a fish on his banner.—O sweet blossom, which I now consecrate, thou well deservest to point the sixth arrow of Cámadéva, who now takes his bow to pierce myriads of youthful hearts.

[*She throws down a blossom.*

*The old* Chamberlain *enters.*

*Cham.* [*Angrily.*] Desist from breaking off those half-opened buds: there will be no jubilee this year; our king has forbidden it.

*Both Dams.* Oh! pardon us. We really knew not the prohibition.

*Cham.* You knew it not!—Even the trees which the spring was decking, and the birds who perch on them, sympathize with our monarch. Thence it is, that yon buds, which have long appeared, shed not yet their prolifick dust; and the flower of the Curuvaca, though perfectly formed, remains veiled in a closed chalice; while the voice of the Cócilà, though the cold dews fall no more, is fixed within his throat; and even Smara, the god of desire, replaces the shaft half-drawn from his quiver.

*Misr.* [*Aside.*] The king, no doubt, is constant and tender-hearted.

*First Dams.* A few days ago, Mitravasu, the governor of our province, dispatched us to kiss the feet of the king, and we come to decorate his groves and gardens with various emblems: thence it is, that we heard nothing of his interdict.

*Cham.* Beware then of reiterating your offence.

*Second Dams.* To obey our lord will certainly be our delight; but, if we are permitted to hear the story, tell us, we pray, what has induced our sovereign to forbid the usual festivity.

*Misr.* [*Aside.*] Kings are generally fond of gay entertainments; and there must be some weighty reason for the prohibition.

*Cham.* [*Aside.*] The affair is publick: why should I not satisfy them? ——[*Aloud.*]—Has not the calamitous desertion of Sacontalá reached your ears?

*First Dams.* We heard her tale from the governor, as far as the sight of the fatal ring.

*Cham.* Then I have little to add.——When the king's memory was restored, by the sight of his gem, he instantly exclaimed: "Yes, the incomparable Sacontalá is my lawful wife; and when I rejected her, I had lost my reason."—He showed strong marks of extreme affliction and penitence; and from that moment he has abhorred the pleasures of life.

life. No longer does he exert his reſpectable talents from day to day for the good of his people: he prolongs his nights without cloſing his eyes, perpetually rolling on the edge of his couch; and when he riſes, he pronounces not one ſentence aptly; miſtaking the names of the women in his apartments, and through diſtraction, calling each of them Sacontalá: then he ſits abaſhed, with his head long bent on his knees.

*Miſr.* [*Aſide.*] This is pleaſing to me, very pleaſing.

*Cham.* By reaſon of the deep ſorrow which now prevails in his heart, the vernal jubilee has been interdicted.

*Both Damſ.* The prohibition is highly proper.

*Behind the ſcenes.* Make way! The king is paſſing.

*Cham.* [*Liſtening.*] Here comes the monarch: depart therefore, damſels, to your own province. [*The two Damſels go out.*

Duſhmanta *enters in penitential weeds, preceded by a Warder, and attended by* Mádhavya.

*Cham.* [*Looking at the king.*] Ah! how majeſtick are noble forms in every habiliment!—Our prince, even in the garb of affliction, is a venerable object.—Though he has abandoned pleaſure, ornaments, and buſineſs; though he is become ſo thin, that his golden bracelet falls looſened even down to his wriſt; though his lips are parched with the heat of his ſighs, and his eyes are fixed open by long ſorrow and want of ſleep, yet am I dazzled by the blaze of virtue which beams in his countenance like a diamond exquiſitely poliſhed.

*Miſr.* [*Aſide, gazing on* Duſhmanta.] With good reaſon is my beloved Sacontalá, though diſgraced and rejected, heavily oppreſſed with grief through the abſence of this youth.

*Duſhm.* [*Advancing ſlowly, in deep meditation.*] When my darling with an antelope's eyes would have reminded me of our love, I was aſſuredly ſlumbering; but exceſs of miſery has awakened me.

*Miſr.* [*Aſide.*] The charming girl will at laſt be happy.

*Mádh.*

*Mádh.* [*Aside.*] This monarch of ours is caught again in the gale of affection; and I hardly know a remedy for his illness.

*Cham.* [*Approaching* Dushmanta.] May the king be victorious!—Let him survey yon fine woodland, these cool walks, and this blooming garden; where he may repose with pleasure on banks of delight.

*Dushm.* [*Not attending to him*]. Warder, inform the chief minister in my name, that having resolved on a long absence from the city, I do not mean to sit for some time in the tribunal; but let him write and dispatch to me all the cases that may arise among my subjects.

*Ward.* As the king commands. [*He goes out.*

*Dushm.* [*To the* Chamberlain.] And thou, Párvatáyana, neglect not thy stated business.

*Cham.* By no means. [*He goes out.*

*Mádh.* You have not left a fly in the garden.—Amuse yourself now in this retreat, which seems pleased with the departure of the dewy season.

*Dushm.* O Mádhavya, when persons accused of great offences prove wholly innocent, see how their accusers are punished!——A phrensy obstructed my remembrance of any former love for the daughter of the sage; and now the heart-born god, who delights in giving pain, has fixed in his bow-string a new shaft pointed with the blossom of an Amra.——The fatal ring having restored my memory, see me deplore with tears of repentance the loss of my best beloved, whom I rejected without cause; see me overwhelmed with sorrow, even while the return of spring fills the hearts of all others with pleasure.

*Mádh.* Be still, my friend, whilst I break Love's arrows with my staff.

[*He strikes off some flowers from an Amra tree.*

*Dushm.* [*Meditating.*] Yes, I acknowledge the supreme power of Brahmà.——[*To* Mádhavya.] Where now, my friend, shall I sit and recreate my sight with the slender shrubs which bear a faint resemblance to the shape of Sacontalá?

*Mádh.* You will soon see the damsel skilled in painting, whom you informed

formed that you would ſpend the forenoon in yon bower of Mádhavì creepers; and ſhe will bring the queen's picture which you commanded her to draw.

*Duſhm.* My ſoul will be delighted even by her picture.——Show the way to the bower.

*Madh.* This way, my friend.——[*They both advance*, Miſracésì *following them.*]—The arbour of twining Mádhavìs, embelliſhed with fragments of ſtone like bright gems, appears by its pleaſantneſs, though without a voice, to bid thee welcome.——Let us enter it, and be ſeated.

[*They both ſit down in the bower.*

*Miſr.* [*Aſide.*] From behind theſe branchy ſhrubs I ſhall behold the picture of my Sacontalá.——I will afterwards haſten to report the ſincere affection of her huſband. [*She conceals herſelf.*

*Duſhm.* [*Sighing.*] O my approved friend, the whole adventure of the hermitage is now freſh in my memory.—I informed you how deeply I was affected by the firſt ſight of the damſel; but when ſhe was rejected by me you were not preſent.—Her name was often repeated by me (how, indeed, ſhould it not?) in our converſation.—What! haſt thou forgotten, as I had, the whole ſtory?

*Miſr.* [*Aſide.*] The ſovereigns of the world muſt not, I find, be left an inſtant without the objects of their love.

*Mádh.* Oh, no: I have not forgotten it; but at the end of our diſcourſe you aſſured me that your love tale was invented ſolely for your diverſion; and this, in the ſimplicity of my heart, I believed.—Some great event ſeems in all this affair to be predeſtined in heaven.

*Miſr.* [*Aſide.*] Nothing is more true.

*Duſhm.* [*Having meditated.*] O! my friend, ſuggeſt ſome relief for my torment.

*Mádh.* What new pain torments you? Virtuous men ſhould never be thus afflicted: the moſt violent wind ſhakes not mountains.

*Duſhm.* When I reflect on the ſituation of your friend Sacontalá, who muſt now be greatly affected by my deſertion of her, I am without comfort.

comfort.—She made an attempt to follow the Bráhmens and the matron: Stay, ſaid the ſage's pupil, who was revered as the ſage himſelf; Stay, ſaid he, with a loud voice. Then once more ſhe fixed on me, who had betrayed her, that celeſtial face, then bedewed with guſhing tears; and the bare idea of her pain burns me like an envenomed javelin.

*Miſr.* [*Aſide.*] How he afflicts himſelf! I really ſympathize with him.

*Mádh.* Surely ſome inhabitant of the heavens muſt have wafted her to his manſion.

*Duſhm.* No; what male divinity would have taken the pains to carry off a wife ſo firmly attached to her lord? Ménacà, the nymph of Swerga, gave her birth; and ſome of her attendant nymphs have, I imagine, concealed her at the deſire of her mother.

*Miſr.* [*Aſide.*] To reject Sacontalá was, no doubt, the effect of a delirium, not the act of a waking man.

*Mádh.* If it be thus, you will ſoon meet her again.

*Duſhm.* Alas! why do you think ſo?

*Mádh.* Becauſe no father and mother can long endure to ſee their daughter deprived of her huſband.

*Duſhm.* Was it ſleep that impaired my memory? Was it deluſion? Was it an error of my judgement? Or was it the deſtined reward of my bad actions? Whatever it was, I am ſenſible that, until Sacontalá return to theſe arms, I ſhall be plunged in the abyſs of affliction.

*Mádh.* Do not deſpair: the fatal ring is itſelf an example that the loſt may be found.—Events which were foredoomed by Heaven muſt not be lamented.

*Duſhm.* [*Looking at his ring.*] The fate of this ring, now fallen from a ſtation which it will not eaſily regain, I may at leaſt deplore.—O gem, thou art removed from the ſoft finger, beautiful with ruddy tips, on which a place had been aſſigned thee; and, minute as thou art, thy bad qualities appear from the ſimilarity of thy puniſhment to mine.

*Miſr.* [*Aſide.*] Had it found a way to any other hand its lot would have

have been truly deplorable.——O Ménacà, how wouldſt thou be delighted with the converſation which gratifies my ears!

*Mádh.* Let me know, I pray, by what means the ring obtained a place on the finger of Sacontalá.

*Duſhm.* You ſhall know, my friend.—When I was coming from the holy foreſt to my capital, my beloved, with tears in her eyes, thus addreſſed me: "How long will the ſon of my lord keep me in his remem-"brance?"

*Mádh.* Well; what then?

*Duſhm.* Then, fixing this ring on her lovely finger, I thus anſwered: "Repeat each day one of the three ſyllables engraved on this gem; and "before thou haſt ſpelled the word Duſhmanta, one of my nobleſt of-"ficers ſhall attend thee, and conduct my darling to her palace."—Yet I forgot, I deſerted her in my phrenſy.

*Miſr.* [*Aſide.*] A charming interval of three days was fixed between their ſeparation and their meeting, which the will of Brahmà rendered unhappy.

*Mádh.* But how came the ring to enter, like a hook, into the mouth of a carp?

*Duſhm.* When my beloved was lifting water to her head in the pool of Sachitírt'ha, the ring muſt have dropped unſeen.

*Mádh.* It is very probable.

*Miſr.* [*Aſide*]. Oh! it was thence that the king, who fears nothing but injuſtice, doubted the reality of his marriage; but how, I wonder, could his memory be connected with a ring?

*Duſhm.* I am really angry with this gem.

*Mádh.* [*Laughing.*] So am I with this ſtaff.

*Duſhm.* Why ſo, Mádhavya?

*Mádh.* Becauſe it preſumes to be ſo ſtraight when I am ſo crooked.—Impertinent ſtick!

*Duſhm.* [*Not attending to him.*] How, O ring, couldſt thou leave that hand adorned with ſoft long fingers, and fall into a pool decked only with water

water lilies ?—The anſwer is obvious: thou art irrational.—But how could I, who was born with a reaſonable ſoul, deſert my only beloved ?

*Miſr.* [*Aſide.*] He anticipates my remark.

*Mádh.* [*Aſide.*] So ; I muſt wait here during his meditations, and periſh with hunger.

*Duſhm.* O my darling, whom I treated with diſreſpect, and forſook without reaſon, when will this traitor, whoſe heart is deeply ſtung with repentant ſorrow, be once more bleſſed with a ſight of thee ?

*A* Damſel *enters with a picture.*

*Damſ.* Great king, the picture is finiſhed. [*Holding it before him.*

*Duſhm.* [*Gazing on it.*] Yes ; that is her face ; thoſe are her beautiful eyes ; thoſe her lips embelliſhed with ſmiles, and ſurpaſſing the red luſtre of the Carcandhu fruit : her mouth ſeems, though painted, to ſpeak, and her countenance darts beams of affection blended with a variety of melting tints.

*Mádh.* Truly, my friend, it is a picture ſweet as love itſelf: my eye glides up and down to feaſt on every particle of it ; and it gives me as much delight as if I were actually converſing with the living Sacontalá.

*Miſr.* [*Aſide.*] An exquiſite piece of painting !——My beloved friend ſeems to ſtand before my eyes.

*Duſhm.* Yet the picture is infinitely below the original ; and my warm fancy, by ſupplying its imperfections, repreſents, in ſome degree, the lovelineſs of my darling.

*Miſr.* [*Aſide.*] His ideas are ſuitable to his exceſſive love and ſevere penitence.

*Duſhm.* [*Sighing.*] Alas ! I rejected her when ſhe lately approached me, and now I do homage to her picture ; like a traveller who negligently paſſes by a clear and full rivulet, and ſoon ardently thirſts for a falſe appearance of water on the ſandy deſert.

*Mádh.* There are ſo many female figures on this canvas, that I cannot well diſtinguiſh the lady Sacontalá.

*Miſr.*

*Miſr.* [*Aſide.*] The old man is ignorant of her tranſcendent beauty; her eyes, which faſcinated the ſoul of his prince, never ſparkled, I ſuppoſe, on Mádhavya.

*Duſhm.* Which of the figures do you conceive intended for the queen?

*Mádh.* [*Examining the picture.*] It is ſhe, I imagine, who looks a little fatigued; with the ſtring of her veſt rather looſe; the ſlender ſtalks of her arms falling languidly; a few bright drops on her face, and ſome flowers dropping from her untied locks. Th t muſt be the queen; and the reſt, I ſuppoſe, are her damſels.

*Duſhm.* You judge well; but my affection requires ſomething more in the piece. Beſides, through ſome defect in the colouring, a tear ſeems trickling down her cheek, which ill ſuits the ſtate in which I deſired to ſee her painted.——[*To the Damſel.*]—The picture, O Chaturicà, is unfiniſhed.——Go back to the painting room and bring the implements of thy art.

*Damſ.* Kind Mádhavya, hold the picture while I obey the king.

*Duſhm.* No; I will hold it.

[*He takes the picture; and the Damſel goes out.*

*Mádh.* What elſe is to be painted?

*Miſr.* [*Aſide.*] He deſires, I preſume, to add all thoſe circumſtances which became the ſituation of his beloved in the hermitage.

*Duſhm.* In this landſcape, my friend, I wiſh to ſee repreſented the river Málinì, with ſome amorous Flamingos on its green margin; farther back muſt appear ſome hills near the mountain Himálaya, ſurrounded with herds of Chamaras; and in the foreground, a dark ſpreading tree, with ſome mantles of woven bark ſuſpended on its branches to be dried by the ſunbeams; while a pair of black antelopes couch in its ſhade, and the female gently rubs her beautiful forehead on the horn of the male.

*Mádh.* Add what you pleaſe; but, in my judgement, the vacant places ſhould be filled with old hermits, bent, like me, towards the ground.

*Duſhm.* [*Not attending to him.*] Oh! I had forgotten that my beloved herſelf muſt have ſome new ornaments.

*Mádh.* What, I pray?

*Misr.* [*Aside.*] Such, no doubt, as become a damsel bred in a forest.

*Dushm.* The artist had omitted a Siríśha flower with its peduncle fixed behind her soft ear, and its filaments waving over part of her cheek; and between her breasts must be placed a knot of delicate fibres, from the stalks of water lilies, like the rays of an autumnal moon.

*Mádh.* Why does the queen cover part of her face, as if she was afraid of something, with the tips of her fingers, that glow like the flowers of the Cuvalaya?—Oh! I now perceive an impudent bee, that thief of odours, who seems eager to sip honey from the lotos of her mouth.

*Dushm.* A bee! drive off the importunate insect.

*Mádh.* The king has supreme power over all offenders.

*Dushm.* O male bee, who approachest the lovely inhabitants of a flowery grove, why dost thou expose thyself to the pain of being rejected?—See where thy female sits on a blossom, and, though thirsty, waits for thy return: without thee she will not taste its nectar.

*Misr.* [*Aside.*] A wild, but apt, address!

*Mádh.* The perfidy of male bees is proverbial.

*Dushm.* [*Angrily.*] Shouldst thou touch, O bee, the lip of my darling, ruddy as a fresh leaf on which no wind has yet breathed, a lip from which I drank sweetness in the banquet of love, thou shalt, by my order, be imprisoned in the center of a lotos.——Dost thou still disobey me?

*Mádh.* How can he fail to obey, since you denounce so severe a punishment?—[*Aside, laughing.*]—He is stark mad with love and affliction; whilst I, by keeping him company, shall be as mad as he without either.

*Dushm.* After my positive injunction, art thou still unmoved?

*Misr.* [*Aside.*] How does excess of passion alter even the wise!

*Mádh.* Why, my friend, it is only a painted bee.

*Misr.* [*Aside.*] Oh! I perceive his mistake: it shows the perfection of the art. But why does he continue musing?

*Dushm.* What ill-natured remark was that?—Whilst I am enjoying the

the rapture of beholding her to whom my ſoul is attached, thou, cruel remembrancer, telleſt me that it is only a picture.—[*Weeping.*]

*Miſr.* [*Aſide.*] Such are the woes of a ſeparated lover! He is on all ſides entangled in ſorrow.

*Duſhm.* Why do I thus indulge unremitted grief? That intercourſe with my darling which dreams would give, is prevented by my continued inability to repoſe; and my tears will not ſuffer me to view her diſtinctly even in this picture.

*Miſr.* [*Aſide.*] His miſery acquits him entirely of having deſerted her in his perfect ſenſes.

*The* Damſel *re-enters.*

*Damſ.* As I was advancing, O king, with my box of pencils and colours——

*Duſhm.* [*Haſtily.*] What happened?

*Damſ.* It was forcibly ſeized by the queen Vaſumatì, whom her maid Pingalicà had appriſed of my errand; and ſhe ſaid: "I will myſelf deliver the caſket to the ſon of my lord."

*Mádh.* How came you to be releaſed?

*Damſ.* While the queen's maid was diſengaging the ſkirt of her mantle, which had been caught by the branch of a thorny ſhrub, I ſtole away.

*Duſhm.* Friend Mádhavya, my great attention to Vaſumatì has made her arrogant; and ſhe will ſoon be here: be it your care to conceal the picture.

*Mádh.* [*Aſide.*] I wiſh you would conceal it yourſelf.——[*He takes the picture, and riſes.*]——[*Aloud.*]—If, indeed, you will diſentangle me from the net of your ſecret apartments, to which I am confined, and ſuffer me to dwell on the wall Méghach'handa which encircles them, I will hide the picture in a place where none ſhall ſee it but pigeons.

[*He goes out.*

*Miſr.*

*Misr.* [*Aside*] How honourably he keeps his former engagements, though his heart be now fixed on another object !

*A* Warder *enters with a leaf.*

*Ward.* May the king prosper !

*Dushm.* Warder, hast thou lately seen the queen Vasumatì ?

*Ward.* I met her, O king ; but when she perceived the leaf in my hand, she retired.

*Dushm.* The queen distinguishes time : she would not impede my publick business.

*Ward.* The chief minister sends this message : "I have carefully stated "a case which has arisen in the city, and accurately committed it to "writing : let the king deign to consider it."

*Dushm.* Give me the leaf.——[*Receiving it, and reading.*]——"Be it "presented at the foot of the king, that a merchant named Dhana-"vriddhi, who had extensive commerce at sea, was lost in a late ship-"wreck : he had no child born ; and has left a fortune of many millions, "which belong, if the king commands, to the royal treasury."——[*With sorrow.*]—Oh ! how great a misfortune it is to die childless ! Yet with his affluence he must have had many wives :—let an inquiry be made whether any one of them is pregnant.

*Ward.* I have heard that his wife, the daughter of an excellent man, named Sácétaca, has already performed the ceremonies usual on pregnancy.

*Dushm.* The child, though unborn, has a title to his father's property. ——Go : bid the minister make my judgement publick.

*Ward.* I obey. [*Going.*

*Dushm.* Stay a while.——

*Ward.* [*Returning.*] I am here.

*Dushm.* Whether he had or had not left offspring, the estate should not have been forfeited.——Let it be proclaimed, that whatever kinsman any one of my subjects may lose, Dushmanta (excepting always the case of

of forfeiture for crimes) will ſupply, in tender affection, the place of that kinſman.

*Ward.* The proclamation ſhall be made.—— [*He goes out.*

[Duſhmanta *continues meditating.*]

*Re-enter* Warder.

O king! the royal decree, which proves that your virtues are awake after a long ſlumber, was heard with burſts of applauſe.

*Duſhm.* [*Sighing deeply.*] When an illuſtrious man dies, alas, without an heir, his eſtate goes to a ſtranger; and ſuch will be the fate of all the wealth accumulated by the ſons of Puru.

*Ward.* Heaven avert the calamity! [*Goes out.*

*Duſhm.* Wo is me! I am ſtripped of all the felicity which I once enjoyed.

*Miſr.* [*Aſide.*] How his heart dwells on the idea of his beloved!

*Duſhm.* My lawful wife, whom I baſely deſerted, remains fixed in my ſoul: ſhe would have been the glory of my family, and might have produced a ſon brilliant as the richeſt fruit of the teeming earth.

*Miſr.* [*Aſide.*] She is not forſaken by all; and ſoon, I truſt, will be thine.

*Damſ.* [*Aſide.*] What a change has the miniſter made in the king by ſending him that miſchievous leaf! Behold, he is deluged with tears.

*Duſhm.* Ah me! the departed ſouls of my anceſtors, who claim a ſhare in the funeral cake, which I have no ſon to offer, are apprehenſive of loſing their due honour, when Duſhmanta ſhall be no more on earth: ——who then, alas, will perform in our family thoſe obſequies which the Véda preſcribes?——My forefathers muſt drink, inſtead of a pure libation, this flood of tears, the only offering which a man who dies childleſs can make them. [*Weeping.*

*Miſr.* [*Aſide.*] Such a veil obſcures the king's eyes, that he thinks it total darkneſs, though a lamp be now ſhining brightly.

*Damſ.*

*Damſ.* Afflict not yourſelf immoderately: our lord is young; and when ſons illuſtrious as himſelf ſhall be born of other queens, his anceſtors will be redeemed from their offences committed here below.

*Duſhm.* [*With agony.*] The race of Puru, which has hitherto been fruitful and unblemiſhed, ends in me; as the river Sereſwatì diſappears in a region unworthy of her divine ſtream. [*He faints.*

*Damſ.* Let the king reſume confidence.— [*She ſupports him.*

*Miſr.* [*Aſide.*] Shall I reſtore him? No; he will ſpeedily be rouſed— I heard the nymph Dévajananì conſoling Sacontalá in theſe words: "As "the gods delight in their portion of ſacrifices, thus wilt thou ſoon be "delighted by the love of thy huſband." I go, therefore, to raiſe her ſpirits, and pleaſe my friend Ménacà with an account of his virtues and his affection. [*She riſes aloft and diſappears.*

*Behind the ſcenes.* A Bráhmen muſt not be ſlain: ſave the life of a Bráhmen.

*Duſhm.* [*Reviving and liſtening.*] Hah! was not that the plaintive voice of Mádhavya?

*Damſ.* He has probably been caught with the picture in his hand by Pingalicà and the other maids.

*Duſhm.* Go, Chaturicà, and reprove the queen in my name for not reſtraining her ſervants.

*Damſ.* As the king commands. [*She goes out.*

*Again behind the ſcenes.* I am a Bráhmen, and muſt not be put to death.

*Duſhm.* It is manifeſtly ſome Bráhmen in great danger.——Hola! who is there?

*The old* Chamberlain *enters.*

*Cham.* What is the king's pleaſure?

*Duſhm.* Inquire why the faint-hearted Mádhavya cries out ſo piteouſly.

*Cham.* I will know in an inſtant. [*He goes out, and returns trembling.*

*Duſhm.* Is there any alarm, Párvatáyana?

*Cham.* Alarm enough!

*Duſhm.*

*Dushm.* What causes thy tremour?—Thus do men tremble through age: fear shakes the old man's body, as the breeze agitates the leaves of the Pippala.

*Cham.* Oh! deliver thy friend.

*Dushm.* Deliver him! from what?

*Cham.* From distress and danger.

*Dushm.* Speak more plainly.

*Cham.* The wall which looks to all quarters of the heavens, and is named, from the clouds which cover it, Méghach'handa——

*Dushm.* What of that?

*Cham.* From the summit of that wall, the pinnacle of which is hardly attainable even by the blue-necked pigeons, an evil being, invisible to human eyes, has violently carried away the friend of your childhood.

*Dushm.* [*Starting up hastily.*] What! are even my secret apartments infested by supernatural agents?—Royalty is ever subjected to molestation.—A king knows not even the mischiefs which his own negligence daily and hourly occasions:—how then should he know what path his people are treading; and how should he correct their manners when his own are uncorrected?

*Behind the scenes.* Oh, help! Oh, release me.

*Dushm.* [*Listening and advancing.*] Fear not, my friend, fear nothing——

*Behind the scenes.* Not fear, when a monster has caught me by the nape of my neck, and means to snap my backbone as he would snap a sugar-cane!

*Dushm.* [*Darting his eyes round.*] Hola! my bow——

*A* Warder *enters with the king's bow and quiver.*

*Ward.* Here are our great hero's arms.

[Dushmanta *takes his bow and an arrow.*

*Behind the scenes.* Here I stand; and, thirsting for thy fresh blood, will

will ſlay thee ſtruggling as a tyger ſlays a calf.——Where now is thy protector, Duſhmanta, who graſps his bow to defend the oppreſſed?

*Duſhm.* [*Wrathfully.*] The demon names me with defiance.—Stay, thou baſeſt of monſters.—Here am I, and thou ſhalt not long exiſt.—[*Raiſing his bow.*]—Show the way, Párvatáyana, to the ſtairs of the terrace.

*Cham.* This way, great king!—— [*All go out haſtily.*

*The* SCENE *changes to a broad* TERRACE.

*Enter* Duſhmanta.

*Duſhm.* [*Looking round.*] Ah! the place is deſerted.

*Behind the ſcenes.* Save me, oh! ſave me.—I ſee thee, my friend, but thou canſt not diſcern me, who, like a mouſe in the claws of a cat, have no hope of life.

*Duſhm.* But this arrow ſhall diſtinguiſh thee from thy foe, in ſpight of the magick which renders thee inviſible.——Mádhavya, ſtand firm; and thou, blood-thirſty fiend, think not of deſtroying him whom I love and will protect.—See, I thus fix a ſhaft which ſhall pierce thee, who deſerveſt death, and ſhall ſave a Bráhmen who deſerves long life; as the celeſtial bird ſips the milk, and leaves the water which has been mingled with it. [*He draws the bowſtring.*

*Enter* Mátali *and* Mádhavya.

*Mát.* The god Indra has deſtined evil demons to fall by thy ſhafts: againſt them let thy bow be drawn, and caſt on thy friends eyes bright with affection.

*Duſhm.* [*Aſtoniſhed, giving back his arms.*] Oh! Mátali, welcome; I greet the driver of Indra's car.

*Mádh.* What! this cutthroat was putting me to death, and thou greeteſt him with a kind welcome!

*Mát.*

*Mát.* [*Smiling.*] O king, live long and conquer! Hear on what errand I am diſpatched by the ruler of the firmament.

*Duſhm.* I am humbly attentive.

*Mát.* There is a race of Dánavas, the children of Cálanémi, whom it is found hard to ſubdue—

*Duſhm.* This I have heard already from Náred.

*Mát.* The god with an hundred ſacrifices, unable to quell that gigantick race, commiſſions thee, his approved friend, to aſſail them in the front of battle; as the ſun with ſeven ſteeds deſpairs of overcoming the dark legions of night, and gives way to the moon, who eaſily ſcatters them. Mount, therefore, with me, the car of Indra, and, graſping thy bow, advance to aſſured victory.

*Duſhm.* Such a mark of diſtinction from the prince of good genii honours me highly; but ſay why you treated ſo roughly my poor friend Mádhavya.

*Mát.* Perceiving that, for ſome reaſon or another, you were grievouſly afflicted, I was deſirous to rouſe your ſpirits by provoking you to wrath. —The fire blazes when wood is thrown on it; the ſerpent, when provoked, darts his head againſt the aſſailant; and a man capable of acquiring glory, exerts himſelf when his courage is excited.

*Duſhm.* [*To* Mádhavya.] My friend, the command of Diveſpetir muſt inſtantly be obeyed: go, therefore, and carry the intelligence to my chief miniſter; ſaying to him in my name: "Let thy wiſdom ſecure "my people from danger while this braced bow has a different employ-"ment."

*Mádh.* I obey; but wiſh it could have been employed without aſſiſtance from my terror. [*He goes out.*

*Mát.* Aſcend, great king.

[Duſhmanta *aſcends, and* Mátali *drives off the car.*

## ACT VII.

Duſhmanta *with* Mátali *in the car of* Indra, *ſuppoſed to be above the clouds.*

*Duſhmanta.*

I AM ſenſible, O Mátali, that, for having executed the commiſſion which Indra gave me, I deſerved not ſuch a profuſion of honours.

*Mát.* Neither of you is ſatisfied. You who have conferred ſo great a benefit on the god of thunder, conſider it as a trifling act of devotion; whilſt he reckons not all his kindneſs equal to the benefit conferred.

*Duſhm.* There is no compariſon between the ſervice and the reward.—He ſurpaſſed my warmeſt expectation, when, before he diſmiſſed me, he made me ſit on half of his throne, thus exalting me before all the inhabitants of the Empyreum; and ſmiling to ſee his ſon Jayanta, who ſtood near him, ambitious of the ſame honour, perfumed my boſom with eſſence of heavenly ſandal wood, throwing over my neck a garland of flowers blown in paradiſe.

*Mát.* O king, you deſerve all imaginable rewards from the ſovereign of good genii; whoſe empyreal ſeats have twice been diſentangled from the thorns of Danu's race; formerly by the claws of the man-lion, and lately by thy unerring ſhafts.

*Duſhm.* My victory proceeded wholly from the auſpices of the god; as on earth, when ſervants proſper in great enterpriſes, they owe their ſucceſs to the magnificence of their lords.——Could Arun diſpel the ſhades of

of night if the deity with a thoufand beams had not placed him before the car of day?

*Mát.* That cafe, indeed, is parallel.—[*Driving flowly.*]—See, O king, the full exaltation of thy glory, which now rides on the back of heaven! The delighted genii have been collecting, among the trees of life, thofe crimfon and azure dyes, with which the celeftial damfels tinge their beautiful feet; and they now are writing thy actions in verfes worthy of divine melody.

*Dufhm.* [*Modeftly.*] In my tranfport, O Mátali, after the rout of the giants, this wonderful place had efcaped my notice.—In what path of the winds are we now journeying?

*Mát.* This is the way which leads along the triple river, heaven's brighteft ornament, and caufes yon luminaries to roll in a circle with diffufed beams: it is the courfe of a gentle breeze which fupports the floating forms of the gods; and this path was the fecond ftep of Vifhnu, when he confounded the proud Vali.

*Dufhm.* My internal foul, which acts by exterior organs, is filled by the fight with a charming complacency.——[*Looking at the wheels.*]—We are now paffing, I guefs, through the region of clouds.

*Mát.* Whence do you form that conjecture?

*Dufhm.* The car itfelf inftructs me that we are moving over clouds pregnant with fhowers; for the circumference of its wheels difperfes pellucid water; the horfes of Indra fparkle with lightning; and I now fee the warbling Chátacas defcend from their nefts on the fummits of mountains.

*Mát.* It is even fo; and in another moment you will be in the country which you govern.

*Dufhm.* [*Looking down.*] Through the rapid, yet imperceptible, defcent of the heavenly fteeds, I now perceive the allotted ftation of men.—— Aftonifhing profpect! It is yet fo diftant from us, that the low lands appear confounded with the high mountain tops; the trees erect their branchy fhoulders, but feem leaflefs; the rivers look like bright lines, but their

their waters vaniſh; and, at this inſtant, the globe of earth ſeems thrown upwards by ſome ſtupendous power.

*Mát.* [*Looking with reverence on the earth.*] How delightful is the abode of mankind!—O king, you ſaw diſtinctly.

*Duſhm.* Say, Mátali, what mountain is that which, like an evening cloud, pours exhilarating ſtreams, and forms a golden zone between the weſtern and eaſtern ſeas?

*Mát.* That, O king, is the mountain of Gandharvas, named Hémacúta: the univerſe contains not a more excellent place for the ſucceſsful devotion of the pious. There Caſyapa, father of the immortals, ruler of men, ſon of Maríchi, who ſprang from the ſelf-exiſtent, reſides with his conſort Aditi, bleſſed in holy retirement.

*Duſhm.* [*Devoutly.*] This occaſion of attaining good fortune muſt not be neglected: may I approach the divine pair, and do them complete homage?

*Mát.* By all means.—It is an excellent idea!—We are now deſcended on earth.

*Duſhm.* [*With wonder.*] Theſe chariot wheels yield no ſound; no duſt ariſes from them; and the deſcent of the car gave me no ſhock.

*Mát.* Such is the difference, O king, between thy car and that of Indra!

*Duſhm.* Where is the holy retreat of Márichi?

*Mát.* [*Pointing.*] A little beyond that grove, where you ſee a pious Yógì, motionleſs as a pollard, holding his thick buſhy hair, and fixing his eyes on the ſolar orb.—Mark; his body is half covered with a white ant's edifice made of raiſed clay; the ſkin of a ſnake ſupplies the place of his ſacerdotal thread, and part of it girds his loins; a number of knotty plants encircle and wound his neck; and ſurrounding birds' neſts almoſt conceal his ſhoulders.

*Duſhm.* I bow to a man of his auſtere devotion.

*Mát.* [*Checking the reins.*] Thus far, and enough.—We now enter the ſanctuary of him who rules the world, and the groves which are watered by ſtreams from celeſtial ſources.

*Duſhm.*

*Duſhm.* This aſylum is more delightful than paradiſe itſelf: I could fancy myſelf bathing in a pool of nectar.

*Mát.* [*Stopping the car.*] Let the king deſcend.

*Duſhm.* [*Joyfully deſcending.*] How canſt thou leave the car?

*Mát.* On ſuch an occaſion it will remain fixed: we may both leave it.—This way, victorious hero, this way.—Behold the retreat of the truly pious.

*Duſhm.* I ſee with equal amazement both the pious and their awful retreat.—It becomes, indeed, pure ſpirits to feed on balmy air in a foreſt blooming with trees of life; to bathe in rills dyed yellow with the golden duſt of the lotos, and to fortify their virtue in the myſterious bath; to meditate in caves, the pebbles of which are unblemiſhed gems; and to reſtrain their paſſions, even though nymphs of exquiſite beauty frolick around them: in this grove alone is attained the ſummit of true piety, to which other hermits in vain aſpire.

*Mát.* In exalted minds the deſire of perfect excellence continually increaſes.—[*Turning aſide.*]—Tell me, Vriddhaſácalya, in what buſineſs is the divine ſon of Maríchi now engaged?—What ſayeſt thou?—Is he converſing with the daughter of Dacſha, who practiſes all the virtues of a dutiful wife, and is conſulting him on moral queſtions?—Then we muſt await his leiſure.—[*To* Duſhmanta.] Reſt, O king, under the ſhade of this Aſóca tree, whilſt I announce thy arrival to the father of Indra.

*Duſhm.* As you judge right.——[Mátali *goes out.*—Duſhmanta *feels his right arm throb.*] Why, O my arm, doſt thou flatter me with a vain omen?—My former happineſs is loſt, and miſery only remains.

*Behind the ſcenes.* Be not ſo reſtleſs: in every ſituation thou ſhoweſt thy bad temper.

*Duſhm.* [*Liſtening.*] Hah! this is no place, ſurely, for a malignant diſpoſition.——Who can be thus rebuked?—[*Looking with ſurpriſe.*]—I ſee a child, but with no childiſh countenance or ſtrength, whom two female anchorites are endeavouring to keep in order; while he forcibly pulls

pulls towards him, in rough play, a lion's whelp with a torn mane, who ſeems juſt dragged from the half-ſucked nipple of the lioneſs!

*A little* Boy *and two female* Attendants *are diſcovered, as deſcribed by the king.*

*Boy.* Open thy mouth, lion's whelp, that I may count thy teeth.

*Firſt Atten.* Intractable child! Why doſt thou torment the wild animals of this foreſt, whom we cheriſh as if they were our own offspring? ----Thou ſeemeſt even to ſport in anger.---Aptly have the hermits named thee Servademana, ſince thou tameſt all creatures.

*Duſhm.* Ah! what means it that my heart inclines to this boy as if he were my own ſon?—[*Meditating.*]—Alas! I have no ſon; and the reflection makes me once more ſoft-hearted.

*Second Atten.* The lioneſs will tear thee to pieces if thou releaſe not her whelp.

*Boy.* [*Smiling.*] Oh! I am greatly afraid of her to be ſure!

[*He bites his lip, as in defiance of her.*

*Duſhm.* [*Aſide, amazed.*] The child exhibits the rudiments of heroick valour, and looks like fire which blazes from the addition of dry fuel.

*Firſt Atten.* My beloved child, ſet at liberty this young prince of wild beaſts; and I will give thee a prettier plaything.

*Boy.* Give it firſt.—Where is it? [*Stretching out his hand.*

*Duſhm.* [*Aſide, gazing on the child's palm.*] What! the very palm of his hand bears the marks of empire; and whilſt he thus eagerly extends it, ſhows its lines of exquiſite network, and glows like a lotos expanded at early dawn, when the ruddy ſplendour of its petals hides all other tints in obſcurity.

*Second Atten.* Mere words, my Suvrità, will not pacify him.—Go, I pray, to my cottage, where thou wilt find a plaything made for the hermit's child, Sancara: it is a peacock of earthen-ware painted with rich colours.

*Firſt Atten.* I will bring it ſpeedily. [*She goes out.*

*Boy.*

*Boy.* In the mean time I will play with the young lion.

*Second Atten.* [*Looking at him with a ſmile.*] Let him go, I entreat thee.

*Duſhm.* [*Aſide.*] I feel the tendereſt affection for this unmanageable child. [*Sighing.*]—How ſweet muſt be the delight of virtuous fathers, when they ſoil their boſoms with duſt by lifting up their playful children, who charm them with inarticulate prattle, and ſhow the white bloſſoms of their teeth, while they laugh innocently at every trifling occurrence!

*Second Atten.* [*Raiſing her finger.*] What! doſt thou ſhow no attention to me?—[*Looking round.*]—Are any of the hermits near?—[*Seeing* Duſhmanta.]—Oh! let me requeſt you, gentle ſtranger, to releaſe the lion's whelp, who cannot diſengage himſelf from the graſp of this robuſt child.

*Duſhm.* I will endeavour.—[*Approaching the* Boy *and ſmiling.*]—O thou, who art the ſon of a pious anchorite, how canſt thou diſhonour thy father, whom thy virtues would make happy, by violating the rules of this conſecrated foreſt? It becomes a black ſerpent only, to infeſt the boughs of a fragrant ſandal tree. [*The* Boy *releaſes the lion.*

*Second Atten.* I thank you, courteous gueſt;—but he is not the ſon of an anchorite.

*Duſhm.* His actions, indeed, which are conformable to his robuſtneſs, indicate a different birth: but my opinion aroſe from the ſanctity of the place which he inhabits.—[*Taking the* Boy *by the hand*].—[*Aſide.*]—Oh! ſince it gives me ſuch delight merely to touch the hand of this child, who is the hopeful ſcion of a family unconnected with mine, what rapture muſt be felt by the fortunate man from whom he ſprang?

*Second Atten.* [*Gazing on them alternately.*] Oh wonderful!

*Duſhm.* What has raiſed your wonder?

*Second Atten.* The aſtoniſhing reſemblance between the child and you, gentle ſtranger, to whom he bears no relation.—It ſurpriſed me alſo to ſee, that although he has childiſh humours, and had no former acquaintance with you, yet your words have reſtored him to his natural good temper.

*Duſhm.*

*Dushm.* [*Raising the* Boy *to his bosom.*] Holy matron, if he be not the son of a hermit, what then is the name of his family?

*Second Atten.* He is descended from Puru.

*Dushm.* [*Aside.*] Hah! thence, no doubt, springs his disposition, and my affection for him.—[*Setting him down.*]—[*Aloud.*] It is, I know, an established usage among the princes of Puru's race, to dwell at first in rich palaces with stuccoed walls, where they protect and cherish the world, but in the decline of life to seek humbler mansions near the roots of venerable trees, where hermits with subdued passions practise austere devotion.—I wonder, however, that this boy, who moves like a god, could have been born of a mere mortal.

*Second Atten.* Affable stranger, your wonder will cease when you know that his mother is related to a celestial nymph, and brought him forth in the sacred forest of Casyapa.

*Dushm.* [*Aside.*] I am transported.—This is a fresh ground of hope. —[*Aloud.*]—What virtuous monarch took his excellent mother by the hand?

*Second Atten.* Oh! I must not give celebrity to the name of a king who deserted his lawful wife.

*Dushm.* [*Aside.*] Ah! she means me.—Let me now ask the name of the sweet child's mother.—[*Meditating.*]—But it is against good manners to inquire concerning the wife of another man.

*The* First Attendant *re-enters with a toy.*

*First Atten.* Look, Servademana, look at the beauty of this bird, Saconta lávanyam.

*Boy.* [*Looking eagerly round.*] Sacontalá! Oh, where is my beloved mother? [*Both* Attendants *laugh.*

*First Atten.* He tenderly loves his mother, and was deceived by an equivocal phrase.

*Second Atten.* My child, she meant only the beautiful shape and colours of this peacock.

*Dushm.*

*Dushm.* [*Aside.*] Is my Sacontalá then his mother? Or has that dear name been given to some other woman?—This conversation resembles the fallacious appearance of water in a desert, which ends in bitter disappointment to the stag parched with thirst.

*Boy.* I shall like the peacock if it can run and fly; not else.

[*He takes it.*

*First Atten.* [*Looking round in confusion.*] Alas, the child's amulet is not on his wrist!

*Dushm.* Be not alarmed. It was dropped while he was playing with the lion: I see it, and will put it into your hand.

*Both.* Oh! beware of touching it.

*First Atten.* Ah! he has actually taken it up.

[*They both gaze with surprise on each other.*

*Dushm.* Here it is; but why would you have restrained me from touching this bright gem?

*Second Atten.* Great monarch, this divine amulet has a wonderful power, and was given to the child by the son of Maríchi, as soon as the sacred rites had been performed after his birth: whenever it fell on the ground, no human being but the father or mother of this boy could have touched it unhurt.

*Dushm.* What if a stranger had taken it?

*First Atten.* It would have become a serpent and wounded him.

*Dushm.* Have you seen that consequence on any similar occasion?

*Both.* Frequently.

*Dushm.* [*With transport.*] I may then exult on the completion of my ardent desire. [*He embraces the child.*

*Second Atten.* Come, Suvritá, let us carry the delightful intelligence to Sacontalá, whom the harsh duties of a separated wife have so long oppressed. [*The* Attendants *go out.*

*Boy.* Farewell; I must go to my mother.

*Dushm.* My darling son, thou wilt make her happy by going to her with me.

*Boy*. Dushmanta is my father; and you are not Dushmanta.

*Dushm*. Even thy denial of me gives me delight.

Sacontalá *enters in mourning apparel, with her long hair twisted in a single braid, and flowing down her back.*

*Sac*. [*Aside*.] Having heard that my child's amulet has proved its divine power, I must either be strangely diffident of my good fortune, or that event which Misracési predicted has actually happened. [*Advancing*.

*Dushm*. [*With a mixture of joy and sorrow*.] Ah! do I see the incomparable Sacontalá clad in sordid weeds?——Her face is emaciated by the performance of austere duties; one twisted lock floats over her shoulder; and with a mind perfectly pure, she supports the long absence of her husband, whose unkindness exceeded all bounds.

*Sac*. [*Seeing him, yet doubting*.] Is that the son of my lord grown pale with penitence and affliction?—If not, who is it, that sullies with his touch the hand of my child, whose amulet should have preserved him from such indignity?

*Boy*. [*Going hastily to* Sacontalá.] Mother, here is a stranger who calls me son.

*Dushm*. Oh! my best beloved, I have treated thee cruelly; but my cruelty is succeeded by the warmest affection; and I implore your remembrance and forgiveness.

*Sac*. [*Aside*.] Be confident, O my heart!—[*Aloud*.]—I shall be most happy when the king's anger has passed away.—[*Aside*.]—This must be the son of my lord.

*Dushm*. By the kindness of heaven, O loveliest of thy sex, thou standest again before me, whose memory was obscured by the gloom of fascination; as the star Róhinì at the end of an eclipse rejoins her beloved moon.

*Sac*. May the king be— [*She bursts into tears*.

*Dushm*. My darling, though the word victorious be suppressed by thy weeping,

weeping, yet I muſt have victory, ſince I ſee thee again, though with pale lips and a body unadorned.

*Boy.* What man is this, mother?

*Sac.* Sweet child, aſk the divinity, who preſides over the fortunes of us both. [*She weeps.*

*Duſhm.* O my only beloved, baniſh from thy mind my cruel deſertion of thee.—A violent phrenſy overpowered my ſoul.—Such, when the darkneſs of illuſion prevails, are the actions of the beſt intentioned; as a blind man, when a friend binds his head with a wreath of flowers, miſtakes it for a twining ſnake, and fooliſhly rejects it.

[*He falls at her feet.*

*Sac.* Riſe, my huſband, oh! riſe—My happineſs has been long interrupted; but joy now ſucceeds to affliction, ſince the ſon of my lord ſtill loves me.—[*He riſes.*]—How was the remembrance of this unfortunate woman reſtored to the mind of my lord's ſon?

*Duſhm.* When the dart of miſery ſhall be wholly extracted from my boſom, I will tell you all; but ſince the anguiſh of my ſoul has in part ceaſed, let me firſt wipe off that tear which trickles from thy delicate eye-laſh; and thus efface the memory of all the tears which my delirium has made thee ſhed. [*He ſtretches out his hand.*

*Sac.* [*Wiping off her tears, and ſeeing the ring on his finger.*] Ah! is that the fatal ring?

*Duſhm.* Yes; by the ſurpriſing recovery of it my memory was reſtored.

*Sac.* Its influence, indeed, has been great; ſince it has brought back the loſt confidence of my huſband.

*Duſhm.* Take it then, as a beautiful plant receives a flower from the returning ſeaſon of joy.

*Sac.* I cannot again truſt it.—Let it be worn by the ſon of my lord.

Mátali *enters.*

*Mát.* By the will of heaven the king has happily met his beloved wife, and ſeen the countenance of his little ſon.

*Duſhm.*

*Duſhm*. It was by the company of my friend that my deſire attained maturity.—But ſay, was not this fortunate event previouſly known to Indra?

*Mát*. [*Smiling*.] What is unknown to the gods?—But come: the divine Marícha deſires to ſee thee.

*Duſhm*. Beloved, take our ſon by the hand; and let me preſent you both to the father of immortals.

*Sac*. I really am aſhamed, even in thy preſence, to approach the deities.

*Duſhm*. It is highly proper on ſo happy an occaſion—Come, I entreat thee. [*They all advance*.

*The ſcene is withdrawn, and* Caſyapa *is diſcovered on a throne converſing with* Aditi.

*Caſ*. [*Pointing to the king*.] That, O daughter of Dacſha, is the hero who led the ſquadrons of thy ſon to the front of battle, a ſovereign of the earth, Duſhmanta; by the means of whoſe bow the thunder-bolt of Indra (all its work being accompliſhed) is now a mere ornament of his heavenly palace.

*Adi*. He bears in his form all the marks of exalted majeſty.

*Mát*. [*To* Duſhmanta.] The parents of the twelve Adityas, O king, are gazing on thee, as on their own offspring, with eyes of affection.—Approach them, illuſtrious prince.

*Duſhm*. Are thoſe, O Mátali, the divine pair, ſprung from Maríchi and Dacſha?—Are thoſe the grand-children of Brahmá, to whom the ſelf-exiſtent gave birth in the beginning; whom inſpired mortals pronounce the fountain of glory apparent in the form of twelve ſuns; they who produced my benefactor, the lord of a hundred ſacrifices, and ruler of three worlds?

*Mát*. Even they — [*Proſtrating himſelf with* Duſhmanta.] — Great beings, the king Duſhmanta, who has executed the commands of your ſon Vaſava, falls humbly before your throne.

*Caſ*.

*Caſ.* Continue long to rule the world.

*Adi.* Long be a warriour with a car unſhattered in combat.

[Sacontalá *and her ſon proſtrate themſelves.*

*Caſ.* Daughter, may thy huſband be like Indra! May thy ſon reſemble Jayanta! And mayſt thou (whom no benediction could better ſuit) be equal in proſperity to the daughter of Pulóman!

*Adi.* Preſerve, my child, a conſtant unity with thy lord: and may this boy, for a great length of years, be the ornament and joy of you both! Now be ſeated near us. [*They all ſit down.*

*Caſ.* [*Looking at them by turns.*] Sacontalá is the model of excellent wives; her ſon is dutiful; and thou, O king, haſt three rare advantages, true piety, abundant wealth, and active virtue.

*Duſhm.* O divine being, having obtained the former object of my moſt ardent wiſhes, I now have reached the ſummit of earthly happineſs through thy favour, and thy benizon will enſure its permanence.— Firſt appears the flower, then the fruit; firſt clouds are collected, then the ſhower falls: ſuch is the regular courſe of cauſes and effects; and thus, when thy indulgence preceded, felicity generally followed.

*Mát.* Great indeed, O king, has been the kindneſs of the primeval Bráhmens.

*Duſhm.* Bright ſon of Maríchi, this thy handmaid was married to me by the ceremony of Gandharvas, and, after a time, was conducted to my palace by ſome of her family; but my memory having failed through delirium, I rejected her, and thus committed a grievous offence againſt the venerable Canna, who is of thy divine lineage: afterwards, on ſeeing this fatal ring, I remembered my love and my nuptials; but the whole tranſaction yet fills me with wonder. My ſoul was confounded with ſtrange ignorance that obſcured my ſenſes; as if a man were to ſee an elephant marching before him, yet to doubt what animal it could be, till he diſcovered by the traces of his large feet that it was an elephant.

*Caſ.*

*Caſ.* Ceaſe, my ſon, to charge thyſelf with an offence committed ignorantly, and, therefore, innocently.—Now hear me—

*Duſhm.* I am devoutly attentive.

*Caſ.* When the nymph Ménacà led Sacontalá from the place where thy deſertion of her had afflicted her ſoul, ſhe brought her to the palace of Aditi; and I knew, by the power of meditation on the Supreme Being, that thy forgetfulneſs of thy pious and lawful conſort had proceeded from the imprecation of Durváſas, and that the charm would terminate on the ſight of thy ring.

*Duſhm.* [*Aſide.*] My name then is cleared from infamy.

*Sac.* Happy am I that the ſon of my lord, who now recogniſes me, denied me through ignorance, and not with real averſion.——The terrible imprecation was heard, I ſuppoſe, when my mind was intent on a different object, by my two beloved friends, who, with extreme affection, concealed it from me to ſpare my feelings, but adviſed me at parting to ſhow the ring if my huſband ſhould have forgotten me.

*Caſ.* [*Turning to* Sacontalá.] Thou art appriſed, my daughter, of the whole truth, and muſt no longer reſent the behaviour of thy lord.—— He rejected thee when his memory was impaired by the force of a charm; and when the gloom was diſpelled, his conjugal affection revived; as a mirror whoſe ſurface has been ſullied, reflects no image; but exhibits perfect reſemblances when its poliſh has been reſtored.

*Duſhm.* Such, indeed, was my ſituation.

*Caſ.* My ſon Duſhmanta, haſt thou embraced thy child by Sacontalá, on whoſe birth I myſelf performed the ceremonies preſcribed in the Véda?

*Duſhm.* Holy Maríchi, he is the glory of my houſe.

*Caſ.* Know too, that his heroick virtue will raiſe him to a dominion extended from ſea to ſea: before he has paſſed the ocean of mortal life, he ſhall rule, unequalled in combat, this earth with ſeven peninſulas; and, as he now is called Servademana, becauſe he tames even in childhood the fierceſt animals, ſo, in his riper years, he ſhall acquire the name of Bhereta, becauſe he ſhall ſuſtain and nouriſh the world.

*Duſhm.*

*Dushm.* A boy educated by the son of Maríchi, must attain the summit of greatness.

*Adi.* Now let Sacontalá, who is restored to happiness, convey intelligence to Canna of all these events: her mother Ménacà is in my family, and knows all that has passed.

*Sac.* The goddess proposes what I most ardently wish.

*Cas.* By the force of true piety the whole scene will be present to the mind of Canna.

*Dushm.* The devout sage must be still excessively indignant at my frantick behaviour.

*Cas.* [*Meditating.*] Then let him hear from me the delightful news, that his foster-child has been tenderly received by her husband, and that both are happy with the little warriour who sprang from them.—Hola! who is in waiting?

*A* Pupil *enters.*

*Pup.* Great being, I am here.

*Cas.* Hasten, Gólava, through the light air, and in my name inform the venerable Canna, that Sacontalá has a charming son by Dushmanta, whose affection for her was restored with his remembrance, on the termination of the spell raised by the angry Durvásas.

*Pup.* As the divinity commands. [*He goes out.*

*Cas.* My son, reascend the car of Indra with thy consort and child, and return happy to thy imperial seat.

*Dushm.* Be it as Maríchi ordains.

*Cas.* Henceforth may the god of the atmosphere with copious rain give abundance to thy affectionate subjects; and mayst thou with frequent sacrifices maintain the Thunderer's friendship! By numberless interchanges of good offices between you both, may benefits reciprocally be conferred on the inhabitants of the two worlds!

*Dushm.* Powerful being, I will be studious, as far as I am able, to attain that felicity.

*Cas.*

*Caſ.* What other favours can I beſtow on thee?

*Duſhm.* Can any favours exceed thoſe already beſtowed?——Let every king apply himſelf to the attainment of happineſs for his people; let Sereſwatì, the goddeſs of liberal arts, be adored by all readers of the Véda; and may Siva, with an azure neck and red locks, eternally potent and ſelf-exiſting, avert from me the pain of another birth in this periſhable world, the ſeat of crimes and of puniſhment. [*All go out.*

A HYMN

# A HYMN

## TO

# *CAMDEO.*

## THE ARGUMENT.

THE *Hindú* God, to whom the following poem is addreffed, appears evidently the fame with the *Grecian* EROS and the *Roman* CUPIDO; but the *Indian* defcription of his perfon and arms, his family, attendants, and attributes, has new and peculiar beauties.

According to the mythology of *Hinduftán*, he was the fon of MAYA, or the general *attracting* power, and married to RETTY or *Affection*; and his bofom friend is BESSENT or *Spring*: he is reprefented as a beautiful youth, fometimes converfing with his mother and confort in the midft of his gardens and temples; fometimes riding by moonlight on a parrot or lory, and attended by dancing-girls or nymphs, the foremoft of whom bears his colours, which are a *fifh* on a red ground. His favourite place of refort is a large tract of country round AGRA, and principally the plains of *Matra*, where KRISHEN alfo and the nine GOPIA, who are clearly the *Apollo* and *Mufes* of the *Greeks*, ufually fpend the night with mufick and dance. His bow of fugar-cane or flowers, with a ftring of bees, and his *five* arrows, each pointed with an *Indian* bloffom of a heating quality, are allegories equally new and beautiful. He has at leaft twenty-three names, moft of which are introduced in the hymn: that of *Cám* or *Cáma* fignifies *defire*, a fenfe which it alfo bears in ancient and modern *Perfian*; and it is poffible, that the words *Dipuc* and *Cupid*, which have the fame fignification, may have the fame origin; fince we know, that the old *Hetrufcans*, from whom great part of the *Roman* language and religion was derived, and whofe fyftem had a near affinity with that of the *Perfians* and *Indians*, ufed to write their lines alternately forwards and backwards, as furrows are made by the plough; and, though the two laft letters of *Cupido* may be only the grammatical termination, as in *libido* and *capedo*, yet the primary root of *cupio* is contained in the three firft letters. The feventh ftanza alludes to the bold attempt of this deity to wound the great God *Mahadeo*, for which he was punifhed by a flame confuming his corporeal nature and reducing him to a mental effence; and hence his chief dominion is over the *minds* of mortals, or fuch deities as he is permitted to fubdue.

# THE HYMN.

WHAT potent God from *Agra*'s orient bow'rs
Floats thro' the lucid air, whilſt living flow'rs
With ſunny twine the vocal arbours wreathe,
And gales enamour'd heav'nly fragrance breathe?
Hail, pow'r unknown! for at thy beck
Vales and groves their boſoms deck,
And ev'ry laughing bloſſom dreſſes
With gems of dew his muſky treſſes.
I feel, I feel thy genial flame divine,
And hallow thee and kiſs thy ſhrine.

"Knowſt thou not me?" Celeſtial ſounds I hear!
"Knowſt thou not me?" Ah, ſpare a mortal ear!
"Behold"—My ſwimming eyes entranc'd I raiſe,
But oh! they ſhrink before th' exceſſive blaze.
Yes, ſon of *Maya*, yes, I know
Thy bloomy ſhafts and cany bow,
Cheeks with youthful glory beaming,
Locks in braids ethereal ſtreaming,
Thy ſcaly ſtandard, thy myſterious arms,
And all thy pains and all thy charms.

God of each lovely ſight, each lovely ſound,
Soul-kindling, world-inflaming, ſtar-ycrown'd,
Eternal *Cáma!* Or doth *Smara* bright,
Or proud *Ananga* give thee more delight?

Whate'er

Whate'er thy ſeat, whate'er thy name,
Seas, earth, and air, thy reign proclaim:
Wreathy ſmiles and roſeate pleaſures
Are thy richeſt, ſweeteſt treaſures.
All animals to thee their tribute bring,
And hail thee univerſal king.

Thy conſort mild, *Affection* ever true,
Graces thy ſide, her veſt of glowing hue,
And in her train twelve blooming girls advance,
Touch golden ſtrings and knit the mirthful dance.
Thy dreaded implements they bear,
And wave them in the ſcented air,
Each with pearls her neck adorning,
Brighter than the tears of morning.
Thy crimſon enſign, which before them flies,
Decks with new ſtars the ſapphire ſkies.

God of the flow'ry ſhafts and flow'ry bow,
Delight of all above and all below!
Thy lov'd companion, conſtant from his birth,
In heav'n clep'd *Beſſent*, and gay *Spring* on earth,
Weaves thy green robe and flaunting bow'rs,
And from thy clouds draws balmy ſhow'rs,
He with freſh arrows fills thy quiver,
(Sweet the gift and ſweet the giver!)
And bids the many-plumed warbling throng
Burſt the pent bloſſoms with their ſong.

He bends the luſcious cane, and twiſts the ſtring
With bees, how ſweet! but ah, how keen their ſting!
He with five flow'rets tips thy ruthleſs darts,
Which thro' five ſenſes pierce enraptur'd hearts:

Strong

Strong *Chumpa*, rich in od'rous gold,
Warm *Amer*, nurs'd in heav'nly mould,
Dry *Nagkeſer* in ſilver ſmiling,
Hot *Kiticum* our ſenſe beguiling,
And laſt, to kindle fierce the ſcorching flame,
*Loveſhaft*, which Gods bright *Bela* name.

Can men reſiſt thy pow'r, when *Kriſhen* yields,
*Kriſhen*, who ſtill in *Matra*'s holy fields
Tunes harps immortal, and to ſtrains divine
Dances by moonlight with the *Gopia* nine?
But, when thy daring arm untam'd
At *Mahadeo* a loveſhaft aim'd,
Heav'n ſhook, and, ſmit with ſtony wonder,
Told his deep dread in burſts of thunder,
Whilſt on thy beauteous limbs an azure fire
Blaz'd forth, which never muſt expire.

O thou for ages born, yet ever young,
For ages may thy *Bramin*'s lay be ſung!
And, when thy lory ſpreads his em'rald wings
To waft thee high above the tow'rs of kings,
Whilſt o'er thy throne the moon's pale light
Pours her ſoft radiance thro' the night,
And to each floating cloud diſcovers
The haunts of bleſt or joyleſs lovers,
Thy mildeſt influence to thy bard impart,
To warm, but not conſume, his heart.

TWO

# TWO HYMNS

TO

# *PRACRITI.*

## THE ARGUMENT.

IN all our converſations with learned *Hindus* we find them enthuſiaſtick admirers of Poetry, which they conſider as a divine art, that had been practiſed for numberleſs ages in heaven, before it was revealed on earth by VA'LMI'C, whoſe great Heroick Poem is fortunately preſerved: the *Brâhmans* of courſe prefer that poetry, which they believe to have been *actually inſpired*; while the *Vaidyas*, who are in general perfect grammarians and good poets, but are not ſuffered to read any of the *ſacred* writings except the *Ayurvéda*, or *Body of Medical Tracts*, ſpeak with rapture of their innumerable *popular* poems, *Epick*, *Lyrick*, and *Dramatick*, which were compoſed by men not literally inſpired, but called, metaphorically, the ſons of SERESWATI, or MINERVA; among whom the *Pandits* of all ſects, nations, and degrees are unanimous in giving the prize of glory to CA'LI'DA'SA, who flouriſhed in the court of VICRAMA'DITYA, fifty-ſeven years before Chriſt. He wrote ſeveral *Dramas*, one of which, entitled SACONTALA', is in my poſſeſſion; and the ſubject of it appears to be as intereſting as the compoſition is beautiful: beſides theſe he publiſhed the *Mégha-dúta*, or cloud-meſſenger, and the *Nalódaya*, or riſe of NALA, both elegant love-tales; the *Raghuvanſa*, an Heroick Poem; and the *Cumára Sambhava*, or birth of CUMA'RA, which ſupplied me with materials for the firſt of the following

Odes.

Odes. I have not indeed yet read it; ſince it could not be correctly copied for me during the ſhort interval, in which it is in my power to amuſe myſelf with literature; but I have heard the ſtory told, both in *Sanſcrit* and *Perſian*, by many *Pandits*, who had no communication with each other; and their outline of it coincided ſo perfectly, that I am convinced of its correctneſs: that outline is here filled up, and exhibited in a lyrick form, partly in the *Indian*, partly in the *Grecian*, taſte; and great will be my pleaſure, when I can again find time for ſuch amuſements, in reading the whole poem of C'ALI'DA'SA, and in comparing my deſcriptions with the original compoſition. To anticipate the ſtory in a preface would be to deſtroy the intereſt, that may be taken in the poem; a diſadvantage attending all prefatory arguments, of which thoſe prefixed to the ſeveral books of TASSO, and to the Dramas of METASTASIO, are obvious inſtances; but, that any intereſt may be taken in the two hymns addreſſed to PRACRITI, under different names, it is neceſſary to render them intelligible by a previous explanation of the mythological alluſions, which could not but occur in them.

ISWARA, or I'SA, and I'SA'NI or I'SI', are unqueſtionably the OSIRIS and ISIS of Egypt; for, though neither a reſemblance of names, nor a ſimilarity of character, would ſeparately prove the identity of *Indian* and *Egyptian* Deities, yet, when they both concur, with the addition of numberleſs corroborating circumſtances, they form a proof little ſhort of demonſtration. The *female* divinity, in the mythological ſyſtems of the Eaſt, repreſents the active *power* of the *male*; and that I'SI' means *active nature*, appears evidently from the word *s'ácta*, which is derived from *s'acti*, or *power*, and applied to thoſe *Hindus*, who direct their adoration principally to that goddeſs: this feminine character of PRACRITI, or *created nature*, is ſo familiar in moſt languages, and even in our own, that the graveſt *Engliſh* writers, on the moſt ſerious ſubjects of religion and philoſophy, ſpeak of *her* operations, as if *ſhe* were actually an animated being; but ſuch perſonifications are eaſily miſconceived by the multitude, and have a ſtrong tendency to polytheiſm. The principal operations of nature are, not the abſolute annihilation and new creation of what we call *material ſubſtances*, but the temporary extinction and reproduction, or, rather in one word, the *tranſmutation*, of *forms*; whence the epithet *Polymorphos* is aptly given to nature by *European*

*ropean* philoſophers: hence ISWARA, SIVA, HARA (for thoſe are his names and near a thouſand more), united with I'SI', repreſent the *ſecondary cauſes*, whatever they may be, of natural phenomena, and principally thoſe of temporary *deſtruction* and *regeneration*; but the *Indian* ISIS appears in a variety of characters, eſpecially in thoſe of PA'RVATI', CA'LI', DURGA', and BHA'VANI', which bear a ſtrong reſemblance to the JUNO of HOMER, to HECATE, to the armed PALLAS, and to the *Lucretian* VENUS.

The name PA'RVATI' took its riſe from a wild poetical fiction. HIMA'LAYA, or the *Manſion of Snow*, is the title given by the *Hindus* to that vaſt chain of mountains, which limits *India* to the north, and embraces it with its eaſtern and weſtern arms, both extending to the ocean; the former of thoſe arms is called *Chandraséc'hara*, or the *Moon's Rock*; and the ſecond, which reaches as far weſt as the mouths of the *Indus*, was named by the ancients *Montes Parveti.* Theſe hills are held ſacred by the *Indians*, who ſuppoſe them to be the terreſtrial haunt of the God I'SWARA. The mountain *Himálaya*, being perſonified, is repreſented as a powerful monarch, whoſe wife was ME'NA': their daughter is named PA'RVATI', or *Mountain-born*, and DURGA', or *of difficult acceſs*; but the *Hindus* believe her to have been married to SIVA in a pre-exiſtent ſtate, when ſhe bore the name of SATI'. The daughter of HIMA'LAYA had two ſons; GANE'S'A, or the *Lord of Spirits*, adored as the wiſeſt of Deities, and always invoked at the beginning of every literary work, and CUMA'RA, SCANDA, or CA'RTICE'YA, commander of the celeſtial armies.

The pleaſing fiction of CA'MA, the *Indian* CUPID, and his friend VASANTA, or the Spring, has been the ſubject of another poem; and here it muſt be remembered, that the God of Love is named alſo SMARA, CANDARPA, and ANANGA. One of his arrows is called *Mellicà*, the *Nyctanthes* of our Botaniſts, who very unadviſedly reject the vernacular names of moſt *Aſiatick* plants: it is beautifully introduced by CA'LIDA'SA into this lively couplet:

*Mellicámuculè bháti gunjanmattamadhuvratah,*
*Prayánè panchacánaſya ſanc'hamápúrayanniva.*

'The

'The intoxicated bee ſhines and murmurs in the freſh-blown *Mellicà*, like 'him who gives breath to a white conch in the proceſſion of the God with five 'arrows.'

A critick, to whom CA'LI'DA'SA repeated this verſe, obſerved, that the compariſon was not exact: ſince the bee ſits on the bloſſom itſelf, and does not murmur at the end of the tube, like him who blows a conch: 'I was 'aware of that, ſaid the poet, and, therefore, deſcribed the bee as *in-* '*toxicated:* a drunken muſician would blow the ſhell at the wrong end:' There was more than wit in this anſwer: it was a juſt rebuke to a dull critick; for poetry delights in *general* images, and is ſo far from being a perfect imitation, that a ſcrupulous exactneſs of deſcriptions and ſimiles, by leaving nothing for the imagination to ſupply, never fails to diminiſh or deſtroy the pleaſure of every reader, who has an imagination to be gratified.

It may here be obſerved, that *Nymphœa*, not *Lotos*, is the *generick* name in *Europe* of the flower conſecrated to ISIS: the *Perſians* know by the name of *Nílúfer* that ſpecies of it, which the Botaniſts ridiculouſly call *Nelumbo*, and which is remarkable for its curious *pericarpium*, where each of the ſeeds contains in miniature the leaves of a perfect vegetable. The *lotos* of HOMER was probably the *ſugar-cane*, and that of LINNÆUS is a papilionaceous plant; but he gives the ſame name to another ſpecies of the *Nymphœa*; and the word is ſo conſtantly applied among us in *India* to the *Nílúfer*, that any other would be hardly intelligible: the *blue* lotos grows in *Caſhmír* and in *Perſia*, but not in *Bengal*, where we ſee only the *red* and the *white*; and hence occaſion is taken to feign, that the lotos of *Hinduſtan* was dyed crimſon by the blood of SIVA.

CUVE'RA, mentioned in the fourteenth ſtanza, is the God of Wealth, ſuppoſed to reſide in a magnificent city, called *Alacà*; and VRIHASPATI, or the Genius of the planet *Jupiter*, is the preceptor of the Gods in *Swerga* or the firmament: he is uſually repreſented as their orator, when any meſſage is carried from them to one of the three ſuperior Deities.

The

The lamentations of RETI', the wife of CAMA, fill a whole book in the *Sanſcrit* poem, as I am informed by my teacher, a learned *Vaidya*; who is reſtrained only from reading the book, which contains a deſcription of the nuptials; for the ceremonies of a marriage where BRAHMA' himſelf officiated as the father of the bridegroom, are too holy to be known by any but *Bráhmans*.

The achievements of DURGA' in her martial character as the patroneſs of *Virtue*, and her battle with a demon in the ſhape of a buffalo, are the ſubject of many epiſodes in the *Puránas* and *Cávyas*, or *ſacred* and *popular* poems; but a full account of them would have deſtroyed the unity of the Ode, and they are barely alluded to in the laſt ſtanza.

It ſeemed proper to change the meaſure, when the goddeſs was to be addreſſed as BHAVA'NI, or the *power of fecundity*; but ſuch a change, though very common in *Sanſcrit*, has its inconveniences in *European* poetry: a diſtinct Hymn is therefore appropriated to her in that capacity; for the explanation of which we need only premiſe, that LACSHMI' is the Goddeſs of *Abundance*; that the *Cétaca* is a fragrant and beautiful plant of the *Diœcian* kind, known to Botaniſts by the name of *Pandanus*; and that the *Dúrgótſava*, or great feſtival of BHAVA'NI at the cloſe of the rains, ends in throwing the image of the goddeſs into the *Ganges* or other ſacred water.

I am not conſcious of having left unexplained any difficult alluſion in the two poems; and have only to add (leſt *European* criticks ſhould conſider a few of the images as inapplicable to *Indian* manners), that the ideas of *ſnow* and *ice* are familiar to the *Hindus*; that the mountains of *Himálaya* may be clearly diſcerned from a part of *Bengal*; that the *Grecian* HÆMUS is the *Sanſcrit* word *haimas*, meaning *ſnowy*; and that funeral *urns* may be ſeen perpetually on the banks of the river.

The two Hymns are neither tranſlations from any other poems, nor imitations of any; and have nothing of PINDAR in them except the meaſures, which are nearly the ſame, ſyllable for ſyllable, with thoſe of the firſt and ſecond

ſecond *Nemean* Odes: more muſical ſtanzas might perhaps have been formed; but, in every art, variety and novelty are conſiderable ſources of pleaſure. The ſtyle and manner of PINDAR have been greatly miſtaken; and, that a diſtinct idea of them may be conceived by ſuch, as have not acceſs to that inimitable poet in his own language, I cannot refrain from ſubjoining the firſt *Nemean* Ode*, not only in the ſame meaſure as nearly as poſſible, but almoſt word for word, with the original; thoſe epithets and phraſes only being neceſſarily added, which are printed in *Italick* letters.

* See below, page 393.

THE

# THE HYMN

TO

# *D U R G A'.*

I. 1.

FROM thee begins the ſolemn air,
Ador'd GANE'SA'; next, thy ſire we praiſe
(Him, from whoſe red cluſt'ring hair
A new-born creſcent ſheds propitious rays,
Fair as GANGA''s curling foam),
Dread IS'WARA; who lov'd o'er awful mountains,
Rapt in preſcience deep, to roam,
But chiefly thoſe, whence holy rivers guſh,
Bright from their ſecret fountains,
And o'er the realms of BRAHMA' ruſh.

I. 2.

Rock above rock they ride ſublime,
And loſe their ſummits in blue fields of day,
Faſhion'd firſt, when rolling time,
Vaſt infant, in his golden cradle lay,
Bidding endleſs ages run
And wreathe their giant heads in ſnows eternal
Gilt by each revolving ſun;
Though neither morning beam, nor noontide glare,
In wintry ſign or vernal,
Their adamantine ſtrength impair;

I. 3.

I. 3.

Nor e'en the fierceſt ſummer heat
Could thrill the palace, where their Monarch reign'd
On his froſt-impearled ſeat,
(Such height had unremitted virtue gain'd !)
HIMA'LAYA, to whom a lovely child,
Sweet PARVATI', ſage ME'NA bore,
Who now, in earlieſt bloom, ſaw heav'n adore
Her charms ; earth languiſh, till ſhe ſmil'd.

II. 1.

But ſhe to love no tribute paid ;
Great ISWARA her pious cares engag'd :
Him, who Gods and fiends diſmay'd,
She ſooth'd with off'rings meek, when moſt he rag'd.
On a morn, when, edg'd with light,
The lake-born flow'rs their ſapphire cups expanded
Laughing at the ſcatter'd night,
A vale remote and ſilent pool ſhe ſought,
Smooth-footed, lotos-handed,
And braids of ſacred bloſſoms wrought ;

II. 2.

Not for her neck, which, unadorn'd,
Bade envying antelopes their beauties hide :
Art ſhe knew not, or ſhe ſcorn'd ;
Nor had her language e'en a name for pride.
To the God, who, fix'd in thought,
Sat in a cryſtal cave new worlds deſigning,
Softly ſweet her gift ſhe brought,
And ſpread the garland o'er his ſhoulders broad,
Where ſerpents huge lay twining,
Whoſe hiſs the round creation aw'd.

II.

II. 3.

He view'd, half-ſmiling, half-ſevere,
The proſtrate maid—That moment through the rocks
He, who decks the purple year,
VASANTA, vain of odorif'rous locks,
With CA'MA, hors'd on infant breezes flew:
(Who knows not CA'MA, nature's king?)
VASANTA barb'd the ſhaft and fix'd the ſtring;
The living bow CANDARPA drew.

III. 1.

Dire ſacrilege! The choſen reed,
That SMARA pointed with tranſcendent art,
Glanc'd with unimagin'd ſpeed,
And ting'd its blooming barb in SIVA's heart:
Glorious flow'r, in heav'n proclaim'd
Rich *Mellicà*, with balmy breath delicious,
And on earth *Nyctanthes* nam'd!
Some drops divine, that o'er the lotos blue
Trickled in rills auſpicious,
Still mark it with a crimſon hue.

III. 2.

Soon clos'd the wound its hallow'd lips;
But nature felt the pain: heav'n's blazing eye
Sank abſorb'd in ſad eclipſe,
And meteors rare betray'd the trembling ſky;
When a flame, to which compar'd
The keeneſt lightnings were but idle flaſhes,
From that orb all-piercing glar'd,
Which in the front of wrathful HARA rolls,
And ſoon to ſilver aſhes
Reduc'd th'inflamer of our ſouls.

III.

III. 3.

VASANT, for thee a milder doom,
Accomplice raſh, a thund'ring voice decreed:
'With'ring live in joyleſs gloom,
'While ten gay ſigns the dancing ſeaſons lead.
'Thy flow'rs, perennial once, now annual made,
The Fiſh and Ram ſhall ſtill adorn;
'But, when the Bull has rear'd his golden horn,
'Shall, like yon idling rainbow, fade.'

IV. 1.

The thunder ceas'd; the day return'd;
But SIVA from terreſtrial haunts had fled:
Smit with rapt'rous love he burn'd,
And ſigh'd on gemm'd *Cailáſa's* viewleſs head.
Lonely down the mountain ſteep,
With flutt'ring heart, ſoft PARVATI deſcended;
Nor in drops of nectar'd ſleep
Drank ſolace through the night, but lay alarm'd,
Leſt her mean gifts offended
The God her pow'rful beauty charm'd.

IV. 2.

All arts her ſorr'wing damſels tried,
Her brow, where wrinkled anguiſh low'r'd, to ſmoothe,
And, her troubled ſoul to ſoothe,
Sagacious ME'NA' mild reproof applied;
But nor art nor counſel ſage,
Nor e'en her ſacred parent's tender chiding,
Could her only pain aſſuage:
The mountain drear ſhe ſought, in mantling ſhade
Her tears and tranſports hiding,
And oft to her adorer pray'd.

IV.

IV. 3.

There on a crag, whoſe icy rift
Hurl'd night and horror o'er the pool profound,
That with madding eddy ſwift
Revengeful bark'd his rugged baſe around,
The beauteous hermit ſat; but ſoon perceiv'd
A *Bráhmen* old before her ſtand,
His rude ſtaff quiv'ring in his wither'd hand,
Who, falt'ring, aſk'd for whom ſhe griev'd.

V. 1.

'What graceful youth with accents mild,
'Eyes like twin ſtars, and lips like early morn,
'Has thy penſive heart beguil'd?'
"No mortal youth," ſhe ſaid with modeſt ſcorn,
"E'er beguil'd my guiltleſs heart:
"Him have I loſt, who to theſe mountains hoary
"Bloom celeſtial could impart.
"Thee I ſalute, thee ven'rate, thee deplore,
"Dread SIVA, ſource of glory,
"Which on theſe rocks muſt gleam no more!"

V. 2.

'Rare object of a damſel's love,'
The wizard bold replied, 'who, rude and wild,
'Leaves eternal bliſs above,
'And roves o'er waſtes where nature never ſmil'd,
'Mounted on his milkwhite bull!
'Seek INDRA with aërial bow victorious,
'Who from vaſes ever full
'Quaffs love and nectar; ſeek the feſtive hall,
'Rich caves, and manſion glorious
'Of young CUVE'RA, lov'd by all;

V. 3.

V. 3.

'But ſpurn that ſullen wayward God,
'That three-ey'd monſter, hideous, fierce, untam'd,
'Unattir'd, ill-girt, unſhod——
"Such fell impiety, the nymph exclaim'd,
"Who ſpeaks, muſt agonize; who hears, muſt die;
"Nor can this vital frame ſuſtain
"The pois'nous taint, that runs from vein to vein;
"Death may atone the blaſphemy."

VI. 1.

She ſpoke, and o'er the rifted rocks
Her lovely form with pious phrenſy threw;
But beneath her floating locks
And waving robes a thouſand breezes flew,
Knitting cloſe their ſilky plumes,
And in mid-air a downy pillow ſpreading;
Till, in clouds of rich perfumes
Embalmed, they bore her to a myſtick wood;
Where ſtreams of glory ſhedding,
The well-feign'd *Bráhmen*, SIVA ſtood.

VI. 2.

The reſt, my ſong conceal:
Unhallow'd ears the ſacrilege might rue.
Gods alone to Gods reveal
In what ſtupendous notes th' immortals woo.
Straight the ſons of light prepar'd
The nuptial feaſt, heav'n's opal gates unfolding,
Which th' empyreal army ſhar'd;
And ſage HIMA'LAYA ſhed bliſsful tears
With aged eyes beholding
His daughter empreſs of the ſpheres.

VI.

VI. 3.

Whilſt ev'ry lip with nectar glow'd,
The bridegroom blithe his transformation told:
Round the mirthful goblets flow'd,
And laughter free o'er plains of ether roll'd:
'Thee too, like VISHNU, ſaid the bluſhing queen,
'Soft MA'YA', guileful maid, attends;
'But in delight ſupreme the phantaſm ends;
'Love crowns the viſionary ſcene.'

VII. 1.

Then roſe VRIHASPATI, who reigns
Beyond red MANGALA's terrifick ſphere,
Wand'ring o'er cerulean plains:
His periods eloquent heav'n loves to hear
Soft as dew on waking flow'rs.
He told, how TA'RACA with ſnaky legions,
Envious of ſupernal pow'rs,
Had menac'd long old ME'RU's golden head,
And INDRA's beaming regions
With deſolation wild had ſpread:

VII. 2.

How, when the Gods to BRAHMA' flew
In routed ſquadrons, and his help implor'd;
"Sons, he ſaid, from vengeance due
"The fiend muſt wield ſecure his fiery ſword
"(Thus th' unerring Will ordains),
"Till from the Great Deſtroyer's pure embraces,
"Knit in love's myſterious chains
"With her, who, daughter to the mountain-king,
"Yon ſnowy manſion graces,
"CUMA'RA, warrior-child, ſhall ſpring;

VII. 3.

" Who, bright in arms of heav'nly proof,
" His creſt a blazing ſtar, his diamond mail
" Colour'd in the rainbow's woof,
" The raſh invaders fiercely ſhall aſſail,
" And, on a ſtately peacock borne, ſhall ruſh
" Againſt the dragons of the deep;
" Nor ſhall his thund'ring mace inſatiate ſle
" Till their infernal chief it cruſh."

VIII. 1.

' The ſplendid hoſt with ſolemn ſtate
' (Still ſpoke th' ethereal orator unblam'd)
' Reaſon'd high in long debate;
' Till, through my counſel provident, they claim'd
' Hapleſs CA'MA's potent aid:
' At INDRA's wiſh appear'd the ſoul's inflamer,
' And, in vernal arms array'd,
' Engag'd (ah, thoughtleſs!) in the bold empriſe
' To tame wide nature's tamer,
' And ſoften Him, who ſhakes the ſkies.

VIII. 2.

' See now the God, whom all ador'd,
' An aſhy heap, the jeſt of ev'ry gale!
' Loſs by heav'n and earth deplor'd!
' For, love extinguiſh'd, earth and heav'n muſt fail.
' Mark, how RETI' bears his urn,
' And tow'rd her widow'd pile with piercing ditty
' Points the flames—ah, ſee it burn!
' How ill the fun'ral with the feaſt agrees!
' Come, love's pale ſiſter, pity;
' Come, and the lover's wrath appeaſe.'

VIII.

VIII. 3.

Tumultuous paſſions, whilſt he ſpoke,
In heav'nly boſoms mix'd their burſting fire,
Scorning frigid wiſdom's yoke,
Diſdain, revenge, devotion, hope, deſire:
Then grief prevail'd; but pity won the prize.
Not SIVA could the charm reſiſt:
'Riſe, holy love!' he ſaid; and kiſs'd
The pearls, that guſh'd from DURGA''s eyes.

IX. 1.

That inſtant through the bleſt abode,
His youthful charms renew'd, ANANGA came:
High on em'rald plumes he rode
With RETI' brighten'd by th' eluded flame;
Nor could young VASANTA mourn
(Officious friend!) his darling lord attending,
Though of annual beauty ſhorn:
'Love-ſhafts enow one ſeaſon ſhall ſupply,
'He menac'd unoffending,
'To rule the rulers of the ſky.'

IX. 2.

With ſhouts the boundleſs manſion rang;
And, in ſublime accord, the radiant quire
Strains of bridal rapture ſang
With glowing conqueſt join'd and martial ire:
'Spring to life, triumphant ſon,
'Hell's future dread, and heav'n's eternal wonder!
'Helm and flaming habergeon
'For thee, behold, immortal artiſts weave,
'And edge with keen blue thunder
'The blade, that ſhall th' oppreſſor cleave.'

IX.

IX. 3.

O Durga', thou haſt deign'd to ſhield
Man's feeble virtue with celeſtial might,
Gliding from yon jaſper field,
And, on a lion borne, haſt brav'd the fight;
For, when the demon Vice thy realms defied,
And arm'd with death each arched horn,
Thy golden lance, O goddeſs mountain-born,
Touch but the peſt—He roar'd and died.

THE

# THE HYMN
## TO
## *BHAVA'NI'.*

WHEN time was drown'd in ſacred ſleep,
And raven darkneſs brooded o'er the deep,
Repoſing on primeval pillows
Of toſſing billows,
The forms of animated nature lay;
Till o'er the wild abyſs, where love
Sat like a neſtling dove,
From heav'n's dun concave ſhot a golden ray.

Still brighter and more bright it ſtream'd,
Then, like a thouſand ſuns, reſiſtleſs gleam'd;
Whilſt on the placid waters blooming,
The ſky perfuming,
An op'ning Lotos roſe, and ſmiling ſpread
His azure ſkirts and vaſe of gold,
While o'er his foliage roll'd
Drops, that impearl BHAVA'NI''s orient bed.

Mother of Gods, rich nature's queen,
Thy genial fire emblaz'd the burſting ſcene;
For, on th' expanded bloſſom ſitting,
With ſun-beams knitting
That myſtick veil for ever unremov'd,
Thou badſt the ſoftly kindling flame
Pervade this peopled frame,
And ſmiles, with bluſhes ting'd, the work approv'd.

Goddeſs,

Goddefs, around thy radiant throne
The fcaly fhoals in fpangled vefture fhone,
Some flowly through green waves advancing,
Some fwiftly glancing,
As each thy mild myfterious pow'r impell'd:
E'en orcs and river-dragons felt
Their iron bofoms melt
With fcorching heat; for love the mightieft quell'd.

But ftraight afcending vapours rare
O'ercanopied thy feat with lucid air,
While, through young INDRA's new dominions
Unnumber'd pinions
Mix'd with thy beams a thoufand varying dyes,
Of birds or infects, who purfued
Their flying loves, or woo'd
Them yielding, and with mufick fill'd the fkies.

And now bedeck'd with fparkling ifles
Like rifing ftars, the watry defert fmiles;
Smooth plains by waving forefts bounded,
With hillocks rounded,
Send forth a fhaggy brood, who, frifking light
In mingled flocks or faithful pairs,
Impart their tender cares:
All animals to love their kind invite.

Nor they alone: thofe vivid gems,
That dance and glitter on their leafy ftems,
Thy voice infpires, thy bounty dreffes,
Thy rapture bleffes,

From

From yon tall palm, who, like a ſunborn king,
His proud tiara ſpreads elate,
To thoſe, who throng his gate,
Where purple chieftains vernal tribute bring.

A gale ſo ſweet o'er GANGA' breathes,
That in ſoft ſmiles her graceful cheek ſhe wreathes.
Mark, where her argent brow ſhe raiſes,
And bluſhing gazes
On yon freſh *Cétaca*, whoſe am'rous flow'r
Throws fragrance from his flaunting hair,
While with his blooming fair
He blends perfume, and multiplies the bow'r.

Thus, in one vaſt eternal gyre,
Compact or fluid ſhapes, inſtinct with fire,
Lead, as they dance, this gay creation,
Whoſe mild gradation
Of melting tints illudes the viſual ray:
Denſe earth in ſpringing herbage lives,
Thence life and nurture gives
To ſentient forms, that ſink again to clay.

Ye maids and youths on fruitful plains,
Where LACSHMI' revels and BHAVA'NI' reigns,
Oh, haſte! oh, bring your flow'ry treaſures,
To rapid meaſures
Tripping at eve theſe hallow'd banks along:
The pow'r, in yon dim ſhrines ador'd,
To primal waves reſtor'd,
With many a ſmiling race ſhall bleſs your ſong.

# A HYMN

TO

# *I N D R A.*

## THE ARGUMENT.

So many allusions to *Hindu* Mythology occur in the following Ode, that it would be scarce intelligible without an explanatory introduction, which, on every account and on all occasions, appears preferable to notes in the margin.

A distinct idea of the God, whom the poem celebrates, may be collected from a passage in the ninth section of the *Gìtà*, where the sudden change of measure has an effect similar to that of the finest modulation:

*tè punyamásádya surèndra lócam*
*asnanti divyán dividévabhógán,*
*tè tam bhuctwà swergalócam visálam*
*cshínè punyè mertyalócam visanti*

" These, having through virtue reached the mansion of the king of *Sura's*,
" feast on the exquisite heavenly food of the Gods: they, who have enjoyed
" this lofty region of Swerga, *but* whose virtue is exhausted, revisit the habi-
" tation of mortals."

Indra, therefore, or the *King* of Immortals, corresponds with one of the ancient *Jupiters* (for several of that name were worshipped in *Europe)*, and particularly with *Jupiter* the *Conductor*, whose attributes are so nobly described by the *Platonick* Philosophers: one of his numerous titles is *Dyupeti*, or, in the nominative case before certain letters, *Dyupetir*; which means the *Lord of Heaven*, and seems a more probable origin of the *Hetruscan* word than *Juvans Pater*; as *Diespiter* was, probably, not the *Father*, but the *Lord*, of *Day*. He may be considered as the Jove of Ennius in his memorable line:

' Aspice hoc sublime candens, quem invocant omnes *Jovem*,'

where the poet clearly means the firmament, of which INDRA is the perſonification. He is the God of thunder and the five elements, with inferior Genii under his command; and is conceived to govern the Eaſtern quarter of the world, but to preſide, like the *Genius* or *Agathodæmon* of the Ancients, over the celeſtial bands, which are ſtationed on the ſummit of ME'RU, or the North-pole, where he ſolaces the Gods with nectar and heavenly muſick: hence, perhaps, the *Hindus,* who give evidence, and the magiſtrates, who hear it, are directed to ſtand fronting the Eaſt or the North.

This imaginary mount is here feigned to have been ſeen in a viſion at *Várá-nasì*, very improperly called *Banáris,* which takes its name from two rivulets, that embrace the city; and the bard, who was favoured with the ſight, is ſup-poſed to have been VYA'SA, ſurnamed *Dwaipáyana*, or *Dwelling in an Iſland*; who, if he really compoſed the *Gítà,* makes very flattering mention of himſelf in the tenth chapter. The plant *Latà*, which he deſcribes weaving a net round the mountain *Mandara*, is tranſported by a poetical liberty to *Suméru,* which the great author of the *Mahabhárat* has richly painted in four beautiful couplets: it is the generick name for a *creeper,* though repreſented here as a ſpecies, of which many elegant varieties are found in *Aſia*.

The Genii named *Cinnara's* are the male dancers in *Swerga*, or the Heaven of INDRA; and the *Apſarà's* are his dancing-girls, anſwering to the *fairies* of the PERSIANS, and to the damſels called in the KORAN *hhúru'lúyùn*, or *with antelopes' eyes*. For the ſtory of *Chitrarat'ha,* the chief muſician of the *Indian* paradiſe, whoſe *painted car* was burned by ARJUN, and for that of the *Chaturdeſaretna,* or *fourteen gems*, as they are called, which were produced by churning the ocean, the reader muſt be referred to Mr. WILKINS's learned annotations on his accurate verſion of the *Bhagavadgìtà*. The fable of the pomegranate-flower is borrowed from the popular mythology of *Népàl* and *Tibet*.

In this poem the ſame form of ſtanza is repeated with *variations*, on a principle entirely new in modern lyrick poetry, which on ſome future occaſion may be fully explained.

THE

# THE HYMN.

BUT ah ! what glories yon blue vault emblaze?
What living meteors from the zenith ſtream ?
Or hath a rapt'rous dream
Perplex'd the iſle-born bard in fiction's maze ?
He wakes ; he hears ; he views no fancied rays.
'Tis INDRA mounted on the ſun's bright beam ;
And round him revels his empyreal train :
How rich their tints ! how ſweet their ſtrain !

Like ſhooting ſtars around his regal ſeat
A veil of many-colour'd light they weave,
That eyes unholy would of ſenſe bereave :
Their ſparkling hands and lightly-tripping feet
Tir'd gales and panting clouds behind them leave.
With love of ſong and ſacred beauty ſmit
The myſtick dance they knit ;
Purſuing, circling, whirling, twining, leading,
Now chaſing, now receding ;
Till the gay pageant from the ſky deſcends
On charm'd *Suméru*, who with homage bends.

Hail, mountain of delight,
Palace of glory, bleſs'd by glory's king !
With proſp'ring ſhade embow'r me, whilſt I ſing
Thy wonders yet unreach'd by mortal flight.

Sky-

Sky-piercing mountain! In thy bow'rs of love
No tears are ſeen, ſave where medici'nal ſtalks
Weep drops balſamick o'er the ſilver'd walks;
No plaints are heard, ſave where the reſtleſs dove
Of coy repulſe and mild reluctance talks;
Mantled in woven gold, with gems enchas'd,
With em'rald hillocks grac'd,
From whoſe freſh laps in young fantaſtick mazes
Soft cryſtal bounds and blazes
Bathing the lithe convolvulus, that winds
Obſequious, and each flaunting arbour binds.

When ſapient BRAHMA' this new world approv'd,
On woody wings eight primal mountains mov'd;
But INDRA mark'd *Suméru* for his own,
And motionleſs was ev'ry ſtone.

Dazzling the moon he rears his golden head:
Nor bards inſpir'd, nor heav'n's all-perfect ſpeech
Leſs may unhallow'd rhyme his beauties teach,
Or paint the pavement which th' immortals tread;
Nor thought of man his awful height can reach:
Who ſees it, maddens; who approaches, dies;
For, with flame-darting eyes,
Around it roll a thouſand ſleepleſs dragons;
While from their diamond flagons
The feaſting Gods exhauſtleſs nectar ſip,
Which glows and ſparkles on each fragrant lip.

This feaſt, in mem'ry of the churned wave
Great INDRA gave, when *Amrit* firſt was won
From impious demons, who to *Máyà*'s eyes
Reſign'd the prize, and rued the fight begun.

Now,

Now, while each ardent *Cinnara* perſuades
The ſoft-ey'd *Apſarà* to break the dance,
And leads her loth, yet with love-beaming glance,
To banks of marjoram and *Champac* ſhades,
Celeſtial *Genii* tow'rd their king advance
(So call'd by men, in heav'n *Gandharva's* nam'd)
For matchleſs muſick fam'd.
Soon, where the bands in lucid rows aſſemble,
Flutes breathe, and citherns tremble;
Till CHITRARATHA ſings—His painted car,
Yet unconſum'd, gleams like an orient ſtar.

Huſh'd was ev'ry breezy pinion,
Ev'ry ſtream his fall ſuſpended:
Silence reign'd; whoſe ſole dominion
Soon was rais'd, but ſoon was ended.

He ſings, how 'whilom from the troubled main
'The ſov'reign elephant *Airávan* ſprang;
'The breathing ſhell, that peals of conqueſt rang;
'The parent cow, whom none implores in vain;
'The milkwhite ſteed, the bow with deaf'ning clang;
'The Goddeſſes of beauty, wealth, and wine;
'Flow'rs, that unfading ſhine,
'NA'RA'YAN's gem, the moonlight's tender languiſh;
'Blue venom, ſource of anguiſh;
'The ſolemn leech, ſlow-moving o'er the ſtrand,
'A vaſe of long-ſought *Amrit* in his hand.

'To ſoften human ills dread SIVA drank
'The pois'nous flood, that ſtain'd his azure neck;
'The reſt thy manſions deck,
'High *Swerga*, ſtor'd in many a blazing rank.

'Thou,

'Thou, God of thunder, ſatſt on *Méru* thron'd,
'Cloud-riding, mountain-piercing, thouſand-ey'd,
'With young PULO'MAJA`, thy blooming bride,
'Whilſt air and ſkies thy boundleſs empire own'd;
'Hail, DYUPETIR, diſmay to BALA's pride!
'Or ſpeaks PURANDER beſt thy martial fame,
'Or SACRA, myſtick name?
'With various praiſe in odes and hallow'd ſtory
'Sweet bards ſhall hymn thy glory.
'Thou, VA'SAVA, from this unmeaſur'd height
'Shedſt pearl, ſhedſt odours o'er the ſons of light!'

The Genius reſted; for his pow'rful art
Had ſwell'd the monarch's heart with ardour vain,
That threaten'd raſh diſdain, and ſeem'd to low'r
On Gods of loftier pow'r and ampler reign.

He ſmil'd; and, warbling in a ſofter mode,
Sang 'the red light'ning, hail, and whelming rain
'O'er *Gócul* green and *Vraja*'s nymph-lov'd plain
'By INDRA hurl'd, whoſe altars ne'er had glow'd,
'Since infant CRISHNA rul'd the ruſtick train
'Now thrill'd with terrour—Them the heav'nly child
'Call'd, and with looks ambroſial ſmil'd,
'Then with one finger rear'd the vaſt *Govérdhen*,
'Beneath whoſe rocky burden
'On paſtures dry the maids and herdſmen trod:
'The Lord of thunder felt a mightier God!'

What furies potent modulation ſoothes!
E'en the dilated heart of INDRA ſhrinks:
His ruffled brow he ſmoothes,
His lance half-rais'd with liſtleſs languor ſinks.

A ſweeter

A ſweeter ſtrain the ſage muſician choſe :
He told, how 'SACHI, ſoft as morning light,
'Blythe SACHI, from her Lord INDRA'NI' hight,
'When through clear ſkies their car ethereal roſe,
'Fix'd on a garden trim her wand'ring ſight,
'Where gay pomegranates, freſh with early dew,
'Vaunted their bloſſoms new :
"Oh! pluck, ſhe ſaid, yon gems, which nature dreſſes
"To grace my darker treſſes."
'In form a ſhepherd's boy, a God in ſoul,
'He haſten'd, and the bloomy treaſure ſtole.



'The reckleſs peaſant, who thoſe glowing flow'rs,
'Hopeful of rubied fruit, had foſter'd long,
'Seiz'd and with cordage ſtrong
'Shackled the God, who gave him ſhow'rs.

'Straight from ſev'n winds immortal Genii flew,
'Green *Varuna*, whom foamy waves obey,
'Bright *Vahni* flaming like the lamp of day,
'*Cuvéra* ſought by all, enjoyed by few,
'*Marut*, who bids the winged breezes play,
'Stern *Yama*, ruthleſs judge, and *Iſa* cold
'With *Nairrit* mildly bold :
'They with the ruddy flaſh, that points his thunder,
'Rend his vain bands aſunder.
'Th' exulting God reſumes his thouſand eyes,
'Four arms divine, and robes of changing dyes.'

Soft memory retrac'd the youthful ſcene :
The thund'rer yielded to reſiſtleſs charms,
Then ſmil'd enamour'd on his bluſhing queen,
And melted in her arms.

Such

Such was the viſion, which, on *Varan*'s breaſt
Or *Asì* pure with offer'd bloſſoms fill'd,
DWAIPA'YAN ſlumb'ring ſaw; (thus NA'RED will'd)
For waking eye ſuch glory never bleſs'd,
Nor waking ear ſuch muſick ever thrill'd.
It vaniſh'd with light ſleep: he, riſing, prais'd
The guarded mount high-raiſed,
And pray'd the thund'ring pow'r, that ſheafy treaſures,
Mild ſhow'rs and vernal pleaſures,
The lab'ring youth in mead and vale might cheer,
And cheriſh'd herdſmen bleſs th' abundant year.

Thee, darter of the ſwift blue bolt, he ſang;
Sprinkler of genial dews and fruitful rains
O'er hills and thirſty plains!
'When through the waves of war thy charger ſprang,
'Each rock rebellow'd and each foreſt rang,
'Till vanquiſh'd *Aſurs* felt avenging pains.
'Send o'er their ſeats the ſnake, that never dies,
'But waft the virtuous to thy ſkies!'

A HYMN

# A HYMN

## TO

# S U´ R Y A.

## THE ARGUMENT.

A PLAUSIBLE opinion has been entertained by learned men, that the principal ſource of idolatry among the ancients was their enthuſiaſtick admiration of the Sun; and that, when the primitive religion of mankind was loſt amid the diſtractions of eſtabliſhing regal government, or neglected amid the allurements of vice, they aſcribed to the great viſible luminary, or to the wonderful fluid, of which it is the general reſervoir, thoſe powers of pervading all ſpace and animating all nature, which their wiſer anceſtors had attributed to one eternal MIND, by whom the ſubſtance of fire had been created as an inanimate and ſecondary cauſe of natural phenomena. The Mythology of the Eaſt confirms this opinion; and it is probable, that the *triple Divinity* of the *Hindus* was originally no more than a perſonification of the Sun, whom they call *Treyitenu*, or *Three-bodied*, in his triple capacity of producing forms by his genial *heat*, preſerving them by his *light*, or deſtroying them by the concentrated force of his *igneous* matter: this, with the wilder conceit of a *female power* united with the Godhead, and ruling nature by his authority, will account for nearly the whole ſyſtem of *Egyptian*, *Indian*, and *Grecian* polytheiſm, diſtinguiſhed from the ſublime Theology of the Philoſophers, whoſe underſtandings were too ſtrong to admit the popular belief, but whoſe influence was too weak to reform it.

SU'RYA, the PHŒBUS of *European* heathens, has near fifty names or epithets in the *Sanſcrit* language; moſt of which, or at leaſt the meanings of them, are introduced in the following Ode; and every image, that ſeemed capable of poetical ornament, has been ſelected from books of the higheſt authority

among the *Hindus:* the title *Arca* is very ſingular; and it is remarkable, that the *Tibetians* repreſent the Sun's car in the form of a *boat*.

It will be neceſſary to explain a few other particulars of the *Hindu* Mythology, to which alluſions are made in the poem. SOMA, or the Moon, is a *male* Deity in the *Indian* ſyſtem, as *Mona* was, I believe, among the *Saxons*, and *Lunus* among ſome of the nations, who ſettled in *Italy:* his titles alſo, with one or two of the ancient fables, to which they refer, are exhibited in the ſecond ſtanza. Moſt of the *Lunar manſions* are believed to be the daughters of *Caſyapa*, the firſt production of *Brahmà*'s head, and from their names are derived thoſe of the twelve months, who are here feigned to have married as many conſtellations: this primeval *Bráhman* and *Vinatà* are alſo ſuppoſed to have been the parents of *Arun*, the charioteer of the Sun, and of the bird *Garuda*, the eagle of the great *Indian* JOVE, one of whoſe epithets is *Mádhava*.

After this explanation the Hymn will have few or no difficulties, eſpecially if the reader has peruſed and ſtudied the *Bhagavadgítà*, with which our literature has been lately enriched, and the fine epiſode from the *Mahábhárat*, on the production of the *Amrita*, which ſeems to be almoſt wholly aſtronomical; but abounds with poetical beauties. Let the following deſcription of the demon *Ráhu*, decapitated by *Náráyan*, be compared with ſimilar paſſages in *Heſiod* and *Milton*:

*tach ch'hailaſringapratiman dánavaſya ſirò mahat*
*chacrach'hinnam c'hamutpatya nenáditi bhayancaram,*
*tat cabandham pepátáſya viſp'hurad dharanítalè*
*ſapervatavanadwípán daityaſyácampayanmahím.*

THE

# THE HYMN.

FOUNTAIN of living light,
That o'er all nature ſtreams,
Of this vaſt microcoſm both nerve and ſoul;
Whoſe ſwift and ſubtil beams,
Eluding mortal ſight,
Pervade, attract, ſuſtain th' effulgent whole,
Unite, impel, dilate, calcine,
Give to gold its weight and blaze,
Dart from the diamond many-tinted rays,
Condenſe, protrude, transform, concoct, refine
The ſparkling daughters of the mine;
Lord of the lotos, father, friend, and king,
O Sun, thy pow'rs I ſing:
Thy ſubſtance *Indra* with his heav'nly bands
Nor ſings nor underſtands;
Nor e'en the *Védas* three to man explain
Thy myſtick orb triform, though *Brahmà* tun'd the ſtrain.

Thou, nectar-beaming Moon,
Regent of dewy night,
From yon black roe, that in thy boſom ſleeps,
Fawn-ſpotted *Saſin* hight;
Wilt thou deſert ſo ſoon
Thy night-flow'rs pale, whom liquid odour ſteeps,

And

And *Oſhadhi*'s tranſcendent beam
Burning in the darkeſt glade?
Will no lov'd name thy gentle mind perſuade
Yet one ſhort hour to ſhed thy cooling ſtream?
But ah! we court a paſſing dream:
Our pray'r nor *Indu* nor *Himánſu* hears;
He fades; he diſappears—
E'en *Caſyapa*'s gay daughters twinkling die,
And ſilence lulls the ſky,
Till *Chátacs* twitter from the moving brake,
And ſandal-breathing gales on beds of ether wake.

Burſt into ſong, ye ſpheres;
A greater light proclaim,
And hymn, concentrick orbs, with ſev'nfold chime
The God with many a name;
Nor let unhallow'd ears
Drink life and rapture from your charm ſublime:
'Our boſoms, *Aryama*, inſpire,
'Gem of heav'n, and flow'r of day,
'*Vivaſwat*, lancer of the golden ray,
'*Divácara*, pure ſource of holy fire,
'Victorious *Ráma*'s fervid ſire,
'Dread child of *Aditi*, *Martunda* bleſs'd,
'Or *Súra* be addreſs'd,
'*Ravi*, or *Mihira*, or *Bhánu* bold,
'Or *Arca*, title old,
'Or *Heridaſwa* drawn by green-hair'd ſteeds,
'Or *Carmaſacſhi* keen, atteſting ſecret deeds.

'What

'What fiend, what monſter fierce
'E'er durſt thy throne invade?
'Malignant *Ráhu*. Him thy wakeful ſight,
'That could the deepeſt ſhade
'Of ſnaky *Narac* pierce,
'Mark'd quaffing nectar; when by magick ſleight
'A *Sura*'s lovely form he wore,
'Rob'd in light, with lotos crown'd,
'What time th' immortals peerleſs treaſures found
'On the churn'd Ocean's gem-beſpangled ſhore,
'And *Mandar*'s load the tortoiſe bore:
'Thy voice reveal'd the daring ſacrilege;
'Then, by the deathful edge
'Of bright *Suderſan* cleft, his dragon head
'Diſmay and horror ſpread
'Kicking the ſkies, and ſtruggling to impair
'The radiance of thy robes, and ſtain thy golden hair.

'With ſmiles of ſtern diſdain
'Thou, ſov'reign victor, ſeeſt
'His impious rage: ſoon from the mad aſſault
'Thy courſers fly releas'd;
'Then toſs each verdant mane,
'And gallop o'er the ſmooth aerial vault;
'Whilſt in charm'd *Gócul*'s od'rous vale
'Blue-ey'd *Yamunà* deſcends
'Exulting, and her tripping tide ſuſpends,
'The triumph of her mighty ſire to hail:
'So muſt they fall, who Gods aſſail!
'For now the demon rues his raſh empriſe,
'Yet, bello'wing blaſphemies

'With

'With pois'nous throat, for horrid vengeance thirſts,
'And oft with tempeſt burſts,
'As oft repell'd he groans in fiery chains,
'And o'er the realms of day unvanquiſh'd *Súrya* reigns.'

Ye clouds, in wavy wreathes
Your duſky van unfold;
O'er dimpled ſands, ye ſurges, gently flow,
With ſapphires edg'd and gold!
Looſe-treſſed morning breathes,
And ſpreads her bluſhes with expanſive glow;
But chiefly where heav'n's op'ning eye
Sparkles at her ſaffron gate,
How rich, how regal in his orient ſtate!
Erelong he ſhall imblaze th' unbounded ſky:
The fiends of darkneſs yelling fly;
While birds of livelieſt note and lighteſt wing
The riſing dayſtar ſing,
Who ſkirts th' horizon with a blazing line
Of topazes divine;
E'en, in their prelude, brighter and more bright,
Flames the red eaſt, and pours inſufferable light*.

Firſt o'er blue hills appear,
With many an agate hoof
And paſterns fring'd with pearl, ſev'n courſers green;
Nor boaſts yon arched woof,
That girds the ſhow'ry ſphere,
Such heav'n-ſpun threads of colour'd light ſerene,

* See GRAY's Letters, p. 382, 4to. and the note.

As

As tinge the reins, which *Arun* guides,
Glowing with immortal grace,
Young *Arun*, lovelieſt of *Vinatian* race,
Though younger He, whom *Mádhava* beſtrides,
When high on eagle-plumes he rides:
But oh! what pencil of a living ſtar
Could paint that gorgeous car,
In which, as in an ark ſupremely bright,
The lord of boundleſs light
Aſcending calm o'er th' empyrean ſails,
And with ten thouſand beams his awful beauty veils.

Behind the glowing wheels
Six jocund ſeaſons dance,
A radiant month in each quick-ſhifting hand;
Alternate they advance,
While buxom nature feels
The grateful changes of the frolick band:
Each month a conſtellation fair
Knit in youthful wedlock holds,
And o'er each bed a varied ſun unfolds,
Leſt one vaſt blaze our viſual force impair,
A canopy of woven air.
*Vaſanta* blythe with many a laughing flow'r
Decks his *Candarpa*'s bow'r;
The drooping paſtures thirſty *Griſhma* dries,
Till *Verſhà* bids them riſe;
Then *Sarat* with full ſheaves the champaign fills,
Which *Siſira* bedews, and ſtern *Hémanta* chills.

Mark,

Mark, how th' all-kindling orb
Meridian glory gains!
Round *Méru*'s breathing zone he winds oblique
O'er pure cerulean plains:
His jealous flames abſorb
All meaner lights, and unreſiſted ſtrike
The world with rapt'rous joy and dread.
Ocean, ſmit with melting pain,
Shrinks, and the fierceſt monſter of the main
Mantles in caves profound his tuſky head
With ſea-weeds dank and coral ſpread:
Leſs can mild earth and her green daughters bear
The noon's wide-waſting glare;
To rocks the panther creeps; to woody night
The vulture ſteals his flight;
E'en cold cameleons pant in thickets dun,
And o'er the burning grit th'unwinged locuſts run!

But when thy foaming ſteeds
Deſcend with rapid pace
Thy fervent axle haſt'ning to allay,
What majeſty, what grace
Dart o'er the weſtern meads
From thy relenting eye their blended ray!
Soon may th' undazzled ſenſe behold
Rich as *Viſhnu*'s diadem,
Or *Amrit* ſparkling in an azure gem,
Thy horizontal globe of molten gold,
Which pearl'd and rubied clouds infold.

It

It ſinks; and myriads of diffuſive dyes
Stream o'er the tiſſued ſkies,
Till *Sóma* ſmiles, attracted by the ſong
Of many a plumed throng
In groves, meads, vales; and, whilſt he glides above,
Each buſh and dancing bough quaffs harmony and love.

Then roves thy poet free,
Who with no borrow'd art
Dares hymn thy pow'r, and durſt provoke thy blaze,
But felt thy thrilling dart;
And now, on lowly knee,
From him, who gave the wound, the balſam prays.
Herbs, that aſſuage the fever's pain,
Scatter from thy rolling car,
Cull'd by ſage *Aſwin* and divine *Cumàr*;
And, if they aſk, "What mortal pours the ſtrain?"
Say (for thou ſeeſt earth, air, and main)
Say: "From the boſom of yon ſilver iſle,
"Where ſkies more ſoftly ſmile,
"He came; and, liſping our celeſtial tongue,
"Though not from *Brahmà* ſprung,
"Draws orient knowledge from its fountains pure,
"Through caves obſtructed long, and paths too long obſcure."

Yes; though the *Sanſcrit* ſong
Be ſtrown with fancy's wreathes,
And emblems rich, beyond low thoughts refin'd,
Yet heav'nly truth it breathes

 With

With atteſtation ſtrong,
That, loftier than thy ſphere, th' Eternal Mind,
Unmov'd, unrival'd, undefil'd,
Reigns with providence benign:
He ſtill'd the rude abyſs, and bade it ſhine
(While Sapience with approving aſpect mild
Saw the ſtupendous work, and ſmil'd);
Next thee, his flaming miniſter, bade riſe
O'er young and wondering ſkies.
Since thou, great orb, with all-enlight'ning ray
Ruleſt the golden day,
How far more glorious He, who ſaid ſerene,
Be, and *thou waſt*—Himſelf unform'd, unchang'd, unſeen!

# A HYMN

TO

# *LACSHMÍ.*

## THE ARGUMENT.

MOST of the allusions to *Indian* Geography and Mythology, which occur in the following Ode to the Goddess of Abundance, have been explained on former occasions; and the rest are sufficiently clear. LACSHMI', or SRI', the CERES of *India*, is the *preserving power* of nature, or, in the language of allegory, the consort of VISHNU or HERI, a personification of the divine goodness; and her origin is variously deduced in the several *Puránás*, as we might expect from a system wholly figurative and emblematical. Some represent her as the daughter of BHRIGU, a son of BRAHMA'; but, in the *Márcandéya Purán*, the *Indian* ISIS, or *Nature*, is said to have assumed three transcendent forms, according to her three *guna's* or *qualities*, and, in each of them, to have produced a pair of divinities, BRAHMA' and LACSHMI', MAHE'SA and SERESWATI', VISHNU and CA'LI'; after whose intermarriage, BRAHMA' and SERESWATI' formed the mundane Egg, which MAHE'SA and CA'LI' divided into halves; and VISHNU together with LACSHMI' preserved it from destruction: a third story supposes her to have sprung from the *Sea of milk*, when it was churned on the second incarnation of HERI, who is often painted reclining on the serpent ANA'NTA, the emblem of eternity; and this fable, whatever may be the meaning of it, has been chosen as the most poetical. The other names of SRI', or *Prosperity*, are HERIPRIYA', PEDMA'LAYA', or PEDMA', and CAMALA; the

the firſt implying the wife of VISHNU; and the reſt derived from the names of the Lotos. As to the tale of SUDA'MAN, whoſe wealth is proverbial among the *Hindus*, it is related at conſiderable length in the *Bhágavat*, or great *Puràn* on the Achievements of CRISHNA: the *Bráhmen*, who read it with me, was frequently ſtopped by his tears. We may be inclined perhaps to think, that the wild fables of idolaters are not worth knowing, and that we may be ſatisfied with miſpending our time in learning the Pagan Theology of old *Greece* and *Rome*; but we muſt conſider, that the allegories contained in the Hymn to LACSHMI' conſtitute at this moment the prevailing religion of a moſt extenſive and celebrated Empire, and are devoutly believed by many millions, whoſe induſtry adds to the revenue of *Britain*, and whoſe manners, which are interwoven with their religious opinions, nearly affect all *Europeans*, who reſide among them.

THE

# THE HYMN.

DAUGHTER of Ocean and primeval Night,
Who, fed with moonbeams dropping ſilver dew,
And cradled in a wild wave dancing light,
Saw'ſt with a ſmile new ſhores and creatures new,
Thee, Goddeſs, I ſalute; thy gifts I ſing,
And, not with idle wing,
Soar from this fragrant bow'r through tepid ſkies,
Ere yet the ſteeds of noon's effulgent king
Shake their green manes and blaze with rubied eyes:
Hence, floating o'er the ſmooth expanſe of day,
Thy bounties I ſurvey,
See through man's oval realm thy charms diſplay'd,
See clouds, air, earth, performing thy beheſt,
Plains by ſoft ſhow'rs, thy tripping handmaids, dreſs'd,
And fruitful woods, in gold and gems array'd,
Spangling the mingled ſhade;
While autumn boon his yellow enſign rears,
And ſtores the world's true wealth in rip'ning ears.

But moſt that central tract thy ſmile adorns,
Which old *Himála* clips with foſt'ring arms,
As with a wexing moon's half-circling horns,
And ſhields from bandits fell, or worſe alarms
Of *Tatar* horſe from *Yunan* late ſubdued,
Or *Bactrian* bowmen rude;

Snow-

Snow-crown'd *Himála*, whence, with wavy wings
Far ſpread, as falcons o'er their neſtlings brood,
Fam'd *Brahmaputra* joy and verdure brings,
And *Sindhu's* five-arm'd flood from *Caſhghar* haſtes,
To cheer the rocky waſtes,
Through weſtern this and that through orient plains;
While bluiſh *Yamunà* between them ſtreams,
And *Gangà* pure with ſunny radiance gleams,
Till *Vánì*, whom a ruſſet ochre ſtains,
Their deſtin'd confluence gains:
Then flows in mazy knot the triple pow'r
O'er laughing *Magadh* and the vales of *Gour*.

Not long inſwath'd the ſacred infant lay
(Celeſtial forms full ſoon their prime attain):
Her eyes, oft darted o'er the liquid way,
With golden light emblaz'd the darkling main;
And thoſe firm breaſts, whence all our comforts well,
Roſe with enchanting ſwell;
Her looſe hair with the bounding billows play'd,
And caught in charming toils each pearly ſhell,
That idling through the ſurgy foreſt ſtray'd;
When ocean ſuffer'd a portentous change,
Toſs'd with convulſion ſtrange;
For lofty *Mandar* from his baſe was torn,
With ſtreams, rocks, woods, by Gods and Demons whirl'd,
While round his craggy ſides the mad ſpray curl'd,
Hugh mountain, by the paſſive Tortoiſe borne:
Then ſole, but not forlorn,
Shipp'd in a flow'r, that balmy ſweets exhal'd,
O'er waves of dulcet cream PEDMA'LA' ſail'd.

So

So name the Goddeſs from her Lotos blue,
Or CAMALA', if more auſpicious deem'd:
With many-petal'd wings the bloſſom flew,
And from the mount a flutt'ring ſea-bird ſeem'd,
Till on the ſhore it ſtopp'd, the heav'n-lov'd ſhore,
Bright with unvalued ſtore
Of gems marine by mirthful INDRA won;
But ſhe, (what brighter gem had ſhone before?)
No bride for old MA'RI'CHA's frolick ſon,
On azure HERI fix'd *her proſp'ring eyes:*
Love bade the bridegroom *riſe;*
Straight o'er the deep, then dimpling ſmooth, he ruſh'd;
And tow'rd th' unmeaſur'd ſnake, ſtupendous bed,
The world's great mother, not reluctant, led:
All nature glow'd, whene'er ſhe ſmil'd or bluſh'd;
The king of ſerpents huſh'd
His thouſand heads, where diamond mirrors blaz'd,
That multiplied her image, as he gaz'd.

Thus multiplied, thus wedded, they pervade,
In varying myriads of ethereal forms,
This pendent Egg by dovelike MA'YA' laid,
And quell MAHE'SA's ire, when moſt it ſtorms;
Ride on keen lightning and diſarm its flaſh,
Or bid loud ſurges laſh
Th' impaſſive rock, and leave the rolling barque
With oars unſhatter'd milder ſeas to daſh;
And oft, as man's unnumber'd woes they mark,
They ſpring to birth in ſome high-favour'd line,
Half human, half divine,

And

And tread life's maze transfigur'd, unimpair'd:
As when, through bleſt *Vrindávan*'s od'rous grove,
They deign'd with hinds and village girls to rove,
And myrth or toil in field or dairy ſhar'd,
As lowly ruſticks far'd:
Blythe RA'DHA' ſhe, with ſpeaking eyes, was nam'd,
He CRISHNA, lov'd in youth, in manhood fam'd.

Though long in *Mathurá* with milkmaids bred,
Each buſh attuning with his paſt'ral flute,
ANANDA's holy ſteers the Herdſman fed,
His nobler mind aſpir'd to nobler fruit:
The fierceſt monſters of each brake or wood
His youthful arm withſtood,
And from the rank mire of the ſtagnant lake
Drew the cruſh'd ſerpent with enſanguin'd hood;
Then, worſe than rav'ning beaſt or fenny ſnake,
A ruthleſs king his pond'rous mace laid low,
And heav'n approv'd the blow:
No more in bow'r or wattled cabin pent,
By rills he ſcorn'd and flow'ry banks to dwell;
His pipe lay tuneleſs, and his wreathy ſhell
With martial clangor hills and foreſts rent;
On crimſon wars intent
He ſway'd high *Dwáracá*, that fronts the mouth
Of gulfy *Sindhu* from the burning ſouth.

A Bráhmen young, who, when the heav'nly boy
In *Vraja* green and ſcented *Gócul* play'd,
Partook each tranſient care, each flitting joy,
And hand in hand through dale or thicket ſtray'd,

By

By ſortune ſever'd from the bliſsful ſeat,
Had ſought a lone retreat;
Where in a coſtleſs hut ſad hours he paſs'd,
Its mean thatch pervious to the dayſtar's heat,
And fenceleſs from night's dew or pinching blaſt:
Firm virtue he poſſeſs'd and vig'rous health,
But they were all his wealth.
SUDA'MAN was he nam'd; and many a year
(If glowing ſong can life and honour give)
From ſun to ſun his honour'd name ſhall live:
Oft ſtrove his conſort wiſe their gloom to cheer,
And hide the ſtealing tear;
But all her thrift could ſcarce each eve afford
The needful ſprinkling of their ſcanty board.

Now Fame, who rides on ſunbeams, and conveys
To woods and antres deep her ſpreading gleam,
Illumin'd earth and heav'n with CRISHNA's praiſe:
Each foreſt echoed loud the joyous theme,
But keener joy SUDA'MAN's boſom thrill'd,
And tears ecſtatick rill'd:
"My friend, he cried, is monarch of the ſkies!"
Then counſell'd ſhe, who nought unſeemly will'd:
"Oh! haſte; oh! ſeek the God with lotos eyes;
"The pow'r, that ſtoops to ſoften human pain,
"None e'er implor'd in vain.
To *Dwáracá*'s rich tow'rs the pilgrim ſped,
Though baſhful penury his hope depreſs'd;
A tatter'd cincture was his only veſt,
And o'er his weaker ſhoulder looſely ſpread
Floated the myſtick thread:

Secure from ſcorn the crowded paths he trode
Through yielding ranks, and hail'd the Shepherd God.

"Friend of my childhood, lov'd in riper age,
"A dearer gueſt theſe manſions never grac'd:
"O meek in ſocial hours, in council ſage!"
So ſpake the Warriour, and his neck embrac'd;
And e'en the Goddeſs left her golden ſeat
Her lord's compeer to greet:
He charm'd, but proſtrate on the hallow'd floor,
Their purfled veſtment kiſs'd and radiant feet;
Then from a ſmall freſh leaf, a borrow'd ſtore
(Such off'rings e'en to mortal kings are due)
Of modeſt rice he drew.
Some proffer'd grains the ſoft-ey'd Hero ate,
And more had eaten, but, with placid mien,
Bright RUCMINI' (thus name th'all-bounteous Queen)
Exclaim'd: "Ah, hold! enough for mortal ſtate!"
Then grave on themes elate
Diſcourſing, or on paſt adventures gay,
They clos'd with converſe mild the rapt'rous day.

At ſmile of dawn diſmiſs'd, ungifted, home
The hermit plodded, till ſublimely rais'd
On granite columns many a ſumptuous dome
He view'd, and many a ſpire, that richly blaz'd,
And ſeem'd, impurpled by the bluſh of morn,
The lowlier plains to ſcorn
Imperious: they, with conſcious worth ſerene,
Laugh'd at vain pride, and bade new gems adorn
Each riſing ſhrub, that clad them. Lovely ſcene
And more than human! His aſtoniſh'd ſight
Drank deep the ſtrange delight:

He

He ſaw briſk fountains dance, criſp riv'lets wind
O'er borders trim, and round inwoven bow'rs,
Where ſportive creepers, threading ruby flow'rs
On em'rald ſtalks, each vernal arch intwin'd,
Luxuriant though confin'd;
And heard ſweet-breathing gales in whiſpers tell
From what young bloom they ſipp'd their ſpicy ſmell.

Soon from the palace-gate in broad array
A maiden legion, touching tuneful ſtrings,
Deſcending ſtrow'd with flow'rs the brighten'd way,
And ſtraight, their jocund van in equal wings
Unfolding, in their vacant centre ſhow'd
Their chief, whoſe veſture glow'd
With carbuncles and ſmiling pearls atween;
And o'er her head a veil tranſlucent flow'd,
Which, dropping light, diſclos'd a beauteous queen,
Who, breathing love, and ſwift with timid grace,
Sprang to her lord's embrace
With ardent greeting and ſweet blandiſhment;
His were the marble tow'rs, th' officious train,
The gems unequal'd and the large domain:
When burſting joy its rapid ſtream had ſpent,
The ſtores, which heav'n had lent,
He ſpread unſparing, unattach'd employ'd,
With meekneſs view'd, with temp'rate bliſs enjoy'd.

Such were thy gifts, PEDMA'LA', ſuch thy pow'r!
For, when thy ſmile irradiates yon blue fields,
Obſervant INDRA ſheds the genial ſhow'r,
And pregnant earth her ſpringing tribute yeilds

Of

Of ſpiry blades, that clothe the champaign dank,
Or ſkirt the verd'rous bank,
That in th' o'erflowing rill allays his thirſt:
Then, riſing gay in many a waving rank,
The ſtalks redundant into laughter burſt;
The rivers broad, like buſy ſhould'ring bands,
Clap their applauding hands;
The mariſh dances and the foreſt ſings;
The vaunting trees their bloomy banners rear;
And ſhouting hills proclaim th' abundant year,
That food to herds, to herdſmen plenty brings,
And wealth to guardian kings.
Shall man unthankful riot on thy ſtores?
Ah, no! he bends, he bleſſes, he adores.

But, when his vices rank thy frown excite,
Exceſſive ſhow'rs the plains and valleys drench,
Or warping inſects heath and coppice blight,
Or drought unceaſing, which no ſtreams can quench,
The germin ſhrivels or contracts the ſhoot,
Or burns the waſted root:
Then fade the groves with gather'd cruſt imbrown'd,
The hills lie gaſping, and the woods are mute,
Low ſink the riv'lets from the yawning ground;
Till Famine gaunt her ſcreaming pack lets ſlip,
And ſhakes her ſcorpion whip;
Dire forms of death ſpread havock, as ſhe flies,
Pain at her ſkirts and Mis'ry by her ſide,
And jabb'ring ſpectres o'er her traces glide;
The mother claſps her babe, with livid eyes,
Then, faintly ſhrieking, dies:

He

He drops expiring, or but lives to feel
The vultures bick'ring for their horrid meal.

From ills, that, painted, harrow up the breaſt,
(What agonies, if real, muſt they give!)
Preſerve thy vot'ries: be their labours bleſt!
Oh! bid the patient *Hindu* riſe and live.
His erring mind, that wizard lore beguiles
Clouded by prieſtly wiles,
To ſenſeleſs nature bows for nature's GOD.
Now, ſtretch'd o'er ocean's vaſt from happier iſles,
He ſees the wand of empire, not the rod:
Ah, may thoſe beams, that weſtern ſkies illume,
Diſperſe th' unholy gloom!
Meanwhile may laws, by myriads long rever'd,
Their ſtrife appeaſe, their gentler claims decide;
So ſhall their victors, mild with virtuous pride,
To many a cheriſh'd grateful race endear'd,
With temper'd love be fear'd:
Though miſts profane obſcure their narrow ken,
They err, yet feel; though pagans, they are men.

# A HYMN

TO

# NÁRÁYENA.

## THE ARGUMENT.

A COMPLETE introduction to the following Ode would be no lefs than a full comment on the VAYDS and PURA'NS of the HINDUS, the remains of *Egyptian* and *Perfian* Theology, and the tenets of the *Ionick* and *Italick* Schools; but this is not the place for fo vaft a difquifition. It will be fufficient here to premife, that the inextricable difficulties attending the *vulgar notion* of *material fubftances*, concerning which

"We know this only, that we nothing know,"

induced many of the wifeft among the Ancients, and fome of the moft enlightened among the Moderns, to believe, that the whole Creation was rather an *energy* than a *work*, by which the Infinite Being, who is prefent at all times in all places, exhibits to the minds of his creatures a fet of perceptions, like a wonderful picture or piece of mufick, always varied, yet always uniform; fo that all bodies and their qualities exift, indeed, to every wife and ufeful purpofe, but exift only as far as they are *perceived*; a theory no lefs pious than fublime, and as different from any principle of Atheifm, as the brighteft funfhine differs from the blackeft midnight. This *illufive operation* of the Deity the *Hindu* philofophers call MA'YA', or *Deception*; and the word occurs in this fenfe more than once in the commentary on the *Rig Vayd*, by the great VASISHTHA, of which Mr. HALHED has given us an admirable fpecimen.

The *firft* ftanza of the Hymn reprefents the fublimeft attributes of the Supreme Being, and the three forms, in which they moft clearly appear to us,

*Power*,

*Power*, *Wisdom*, and *Goodness*, or, in the language of ORPHEUS and his disciples, *Love:* the *second* comprises the *Indian* and *Egyptian* doctrine of the Divine Essence and Archetypal *Ideas*; for a distinct account of which the reader must be referred to a noble description in the sixth book of PLATO's *Republick*; and the fine explanation of that passage in an elegant discourse by the author of CYRUS, from whose learned work a hint has been borrowed for the conclusion of this piece. The *third* and *fourth* are taken from the Institutes of MENU, and the eighteenth *Puran* of VYA'SA', entitled *Srey Bhagawat*, part of which has been translated into *Persian*, not without elegance, but rather too paraphrastically. From BREHME, or the *Great Being*, in the *neuter* gender, is formed BREHMA', in the *masculine*; and the second word is appropriated to the *creative power* of the Divinity.

The spirit of GOD, called NA'RA'YENA, or *moving on the water*, has a multiplicity of other epithets in *Sanscrit*, the principal of which are introduced, expresly or by allusion, in the *fifth* stanza; and two of them contain the names of the *evil beings*, who are feigned to have sprung from the ears of VISHNU; for thus the divine spirit is entitled, when considered as the *preserving power*: the *sixth* ascribes the perception of *secondary* qualities by our *senses* to the immediate influence of MA'YA'; and the *seventh* imputes to her operation the *primary* qualities of *extension* and *solidity*.

THE

# THE HYMN.

SPIRIT of Spirits, who, through ev'ry part
Of ſpace expanded and of endleſs time,
Beyond the ſtretch of lab'*ring thought ſublime*,
Badſt uproar into beauteous order ſtart,
Before Heav'n was, Thou art:
Ere ſpheres beneath us roll'd or ſpheres above,
Ere earth in firmamental ether hung,
Thou ſatſt alone; till, through thy myſtick Love,
Things unexiſting to exiſtence ſprung,
And grateful deſcant ſung.
What firſt impell'd thee to exert thy might?
Goodneſs unlimited. What glorious light
Thy pow'r directed? Wiſdom without bound.
What prov'd it firſt? Oh! guide my fancy right;
Oh! raiſe from cumbrous ground
My ſoul in rapture drown'd,
That fearleſs it may ſoar on wings of fire;
For Thou, who only knowſt, Thou only canſt inſpire.

Wrapt in eternal ſolitary ſhade,
Th' impenetrable gloom of light intenſe,
Impervious, inacceſſible, immenſe,
Ere ſpirits were infus'd or forms diſplay'd,
BREHM his own Mind ſurvey'd,

As mortal eyes (thus finite we compare
With infinite) in ſmootheſt mirrors gaze:
Swift, at his look, a ſhape ſupremely fair
Leap'd into being with a boundleſs blaze,
That fifty ſuns might daze.
Primeval MAYA was the Goddeſs nam'd,
Who to her ſire, with Love divine inflam'd,
A caſket gave with rich *Ideas* fill'd,
From which this gorgeous Univerſe he fram'd;
For, when th' Almighty will'd
Unnumber'd worlds to build,
From Unity diverſified he ſprang,
While gay Creation laugh'd, and procreant Nature rang.

Firſt an all-potent all-pervading ſound
Bade flow the waters——and the waters flow'd,
Exulting in their meaſureleſs abode,
Diffuſive, multitudinous, profound,
Above, beneath, around;
Then o'er the vaſt expanſe primordial wind
Breath'd gently, till a lucid bubble roſe,
Which grew in perfect ſhape an Egg refin'd:
Created ſubſtance no ſuch luſtre ſhows,
Earth no ſuch beauty knows.
Above the warring waves it danc'd elate,
Till from its burſting ſhell with lovely ſtate
A form cerulean flutter'd o'er the deep,
Brighteſt of beings, greateſt of the great:
Who, not as mortals ſteep,
Their eyes in dewy ſleep,
But heav'nly-penſive on the Lotos lay,
That bloſſom'd at his touch and ſhed a golden ray.

Hail,

Hail, primal bloſſom! hail empyreal gem!
Kemel, or Pedma, or whate'er high name
Delight thee, ſay, what four-form'd Godhead came,
With graceful ſtole and beamy diadem,
Forth from thy verdant ſtem?
Full-gifted Brehma! Rapt in ſolemn thought
He ſtood, and round his eyes fire-darting threw;
But, whilſt his viewleſs origin he ſought,
One plain he ſaw of living waters blue,
Their ſpring nor ſaw nor knew.
Then, in his parent ſtalk again retir'd,
With reſtleſs pain for ages he inquir'd
What were his pow'rs, by whom, and why conferr'd:
With doubts perplex'd, with keen impatience fir'd
He roſe, and riſing heard
Th' unknown all-knowing Word,
"Brehma! no more in vain reſearch perſiſt:
My veil thou canſt not move—Go; bid all worlds exiſt."

Hail, ſelf-exiſtent, in celeſtial ſpeech
Narayen, from thy watry cradle, nam'd;
Or Venamaly may I ſing unblam'd,
With flow'ry braids, that to thy ſandals reach,
Whoſe beauties, who can teach?
Or high Peitamber clad in yellow robes
Than ſunbeams brighter in meridian glow,
That weave their heav'n-ſpun light o'er circling globes?
Unwearied, lotos-eyed, with dreadful bow,
Dire Evil's conſtant foe!
Great Pedmanabha, o'er thy cheriſh'd world
The pointed *Checra*, by thy fingers whirl'd,

Fierce

Fierce KYTABH ſhall deſtroy and MEDHU grim
To black deſpair and deep deſtruction hurl'd.
Such views my ſenſes dim,
My eyes in darkneſs ſwim:
What eye can bear thy blaze, what utt'rance tell
Thy deeds with ſilver trump or many-wreathed ſhell?

Omniſcient Spirit, whoſe all-ruling pow'r
Bids from each ſenſe bright emanations beam;
Glows in the rainbow, ſparkles in the ſtream,
Smiles in the bud, and gliſtens in the flow'r
That crowns each vernal bow'r;
Sighs in the gale, and warbles in the throat
Of ev'ry bird, that hails the bloomy ſpring,
Or tells his love in many a liquid note,
Whilſt envious artiſts touch the rival ſtring,
Till rocks and foreſts ring;
Breathes in rich fragrance from the ſandal grove,
Or where the precious muſk-deer playful rove;
In dulcet juice from cluſt'ring fruit diſtills,
And burns ſalubrious in the taſteful clove:
Soft banks and verd'rous hills
Thy preſent influence fills;
In air, in floods, in caverns, woods, and plains;
Thy will inſpirits all, thy ſov'reign MAYA reigns.

Blue cryſtal vault, and elemental fires,
That in th' ethereal fluid blaze and breathe;
Thou, toſſing main, whoſe ſnaky branches wreathe
This penſile orb with intertwiſted gyres;
Mountains, whoſe radiant ſpires

Preſumptuous

Preſumptuous rear their ſummits to the ſkies,
And blend their em'rald hue with ſapphire light;
Smooth meads and lawns, that glow with varying dyes
Of dew-beſpangled leaves and bloſſoms bright,
Hence! vaniſh from my ſight:
Deluſive Pictures! unſubſtantial ſhows!
My ſoul abſorb'd One only Being knows,
Of all perceptions One abundant ſource,
Whence ev'ry object ev'ry moment flows:
Suns hence derive their force,
Hence planets learn their courſe;
But ſuns and fading worlds I view no more:
God only I perceive; God only I adore.

# A HYMN

## TO

# *SERESWATY.*

### THE ARGUMENT.

THE *Hindu* Goddeſſes are uniformly repreſented as the ſubordinate *powers* of their reſpective lords: thus LACSHMY, the conſort of VISHNU the *Preſerver*, is the Goddeſs of *abundance* and *proſperity*; BHAVA'NY, the wife of MAHA'DE'V, is the genial power of *fecundity*; and SERESWATY, whoſe huſband was the *Creator* BREHMA', poſſeſſes the powers of Imagination and Invention, which may juſtly be termed *creative*. She is, therefore, adored as the patroneſs of the fine arts, eſpecially of Muſick and Rhetorick, as the inventreſs of the SANSCRIT Language, of the *Dévanágry* Letters, and of the ſciences, which writing perpetuates; ſo that her attributes correſpond with thoſe of MINERVA MUSICA, in *Greece* and *Italy*, who invented the flute, and preſided over literature. In this character ſhe is addreſſed in the following ode, and particularly as the *Goddeſs of Harmony*; ſince the *Indians* uſually paint her with a muſical inſtrument in her hand: the ſeven notes, an artful combination of which conſtitutes *Muſick* and variouſly affects the paſſions, are feigned to be her earlieſt production; and the greateſt part of the Hymn exhibits a correct delineation of the RA'GMA'LA', or *Necklace* of *Muſical Modes*, which may be conſidered as the moſt pleaſing invention of the ancient *Hindus*, and the moſt beautiful union of Painting with poetical Mythology and the genuine theory of Muſick.

The different poſition of the *two* ſemitones in the ſcale of *ſeven* notes gives birth to ſeven *primary* modes; and, as the whole ſeries conſiſts of *twelve* ſemitones, every one of which may be made a *modal* note or *tonick*, there are in nature, (though not univerſally in practice) *ſeventy-ſeven* other modes, which may be called *derivative*: all the *eighty-four* are diſtributed by the PERSIANS, under

under the notion of *locality*, into three claſſes conſiſting of *twelve* rooms, *twenty-four* angles, and *forty-eight* receſſes; but the HINDU arrangement is elegantly formed on the variations of the *Indian* year, and the aſſociation of ideas; a powerful auxiliary to the ordinary effect of modulation. The Modes, in this ſyſtem, are deified; and, as there are *ſix* ſeaſons in *India*, namely, two Springs, Summer, Autumn, and two Winters, an original RA'G, or *God of the Mode*, is conceived to preſide over a particular ſeaſon; each principal mode is attended by *five* RA'GNYS, or *Nymphs of Harmony*; each has *eight* Sons, or *Genii* of the ſame divine Art; and each RA'G, with his family, is appropriated to a diſtinct ſeaſon, in which alone his melody can be ſung or played at preſcribed hours of the day and night: the mode of DEIPEC, or CUPID the *Inflamer*, is ſuppoſed to be loſt; and a tradition is current in *Hinduſtan*, that a muſician, who attempted to reſtore it, was conſumed by fire from heaven. The natural diſtribution of modes would have been *ſeven*, *thirty-three*, and *forty-four*, according to the number of the *minor* and *major* ſecondary tones; but this order was varied for the ſake of the charming fiction above-mentioned. NA'RED, who is deſcribed in the *third* ſtanza, was one of the firſt created beings, correſponding with the MERCURY of the *Italians*, inventor of the VENE, a fretted inſtrument ſupported by two large *gourds*, and confeſſedly the fineſt uſed in *Aſia*.

A full diſcuſſion of ſo copious a ſubject would require a ſeparate diſſertation; but here it will be ſufficient to ſay, that almoſt every alluſion and every epithet in the Poem, as well as the names, are ſelected from approved treatiſes, either originally *Perſian* or tranſlated from the *Sanſcrit*, which contain as lively a diſplay of genius, as human imagination ever exhibited.

The laſt couplet alludes to the celebrated place of pilgrimage, at the confluence of the *Gangá* and *Yamná*, which the *Sereſwaty*, another ſacred river, is ſuppoſed to join under ground.

THE

# THE HYMN.

SWEET grace of BREHMA's bed!
Thou, when thy glorious lord
Bade airy nothing breathe and bleſs his pow'r,
Satſt with illumin'd head,
And, in ſublime accord,
Sev'n ſprightly notes, to hail th' auſpicious hour,
Ledſt from their ſecret bow'r:
They drank the air; they came
With many a ſparkling glance,
And knit the mazy dance,
Like yon bright orbs, that gird the ſolar flame,
Now parted, now combin'd,
Clear as thy ſpeech and various as thy mind.

Young Paſſions at the ſound
In ſhadowy forms aroſe,
O'er hearts, yet uncreated, ſure to reign;
Joy, that o'erleaps all bound,
Grief, that in ſilence grows,
Hope, that with honey blends the cup of pain,
Pale Fear, and ſtern Diſdain,
Grim Wrath's avenging band,
Love, nurs'd in dimple ſmooth,

 That

That ev'ry pang can ſoothe;
But, when ſoft Pity her meek trembling hand
Stretch'd, like a new-born girl,
Each ſigh was muſick, and each tear a pearl.

Thee her great parent owns
All-ruling Eloquence,
That, like full GANGA, pours her ſtream divine
Alarming ſtates and thrones:
To fix the flying ſenſe
Of words, thy daughters, by the varied line
(Stupendous art!) was Thine;
Thine, with pointed reed
To give primeval Truth
Th' unfading bloom of youth,
And paint on deathleſs leaves high Virtue's meed:
Fair Science, heav'n-born child,
And playful Fancy on thy boſom ſmil'd.

Who bids the fretted *Vene*
Start from his deep repoſe,
And wakes to melody the quiv'ring frame?
What youth with godlike mien
O'er his bright ſhoulder throws
The verdant gourd, that ſwells with ſtruggling flame?
NA'RED, immortal name!
He, like his potent Sire,
Creative ſpreads around
The mighty world of ſound,
And calls from ſpeaking wood ethereal fire;
While to th' accordant ſtrings
Of boundleſs heav'ns and heav'nly deeds he ſings.

But

But look! the jocund hours
A lovelier ſcene diſplay,
Young HINDOL ſportive in his golden ſwing
High-canopied with flow'rs;
While *Rágny's* ever gay
Toſs the light cordage, and in cadence ſing
The ſweet return of Spring:
Here dark *Viráwer* ſtands;
There *Rámcary* divine
And fawn-eyed *Lelit* ſhine;
But ſtern *Dayſáſha* leads her warring bands,
And ſlow in ebon clouds
*Petmenjary* her fading beauty ſhrouds.

Ah! where has DEIPEC veil'd
His flame-encircled head?
Where flow his lays too ſweet for mortal ears?
O loſs how long bewail'd!
Is yellow *Cámód* fled?
And blythe *Cárnáty* vaunting o'er her peers?
Where ſtream *Caydára's* tears
Intent on ſcenes above,
A beauteous anchorite?
No more ſhall *Dayſa* bright
With gentle numbers call her tardy love?
Has *Netta*, martial maid,
Lock'd in ſad ſlumbers her ſky-temper'd blade?

Once, when the vernal noon
Blaz'd with reſiſtleſs glare,
The Sun's eye ſparkled, and a God was born:
He ſmil'd; but vaniſh'd ſoon——

Then

Then groan'd the northern air;
The clouds, in thunder mutt'ring ſullen ſcorn,
Delug'd the thirſty corn.
But, earth-born artiſt, hold!
If e'er thy ſoaring lyre
To *Deipec*'s notes aſpire,
Thy ſtrings, thy bow'r, thy breaſt with rapture bold,
Red lightning ſhall conſume;
Nor can thy ſweeteſt ſong avert the doom.

See ſky-form'd MAYGH deſcend
In fertiliſing rain,
Whilſt in his hand a falchion gleams unſheath'd!
Soft nymphs his car attend,
And raiſe the golden grain,
Their treſſes dank with duſky ſpikenard wreath'd:
(A ſweeter gale ne'er breath'd)
*Tenca* with laughing eyes,
And *Gujry*'s bloomy cheek,
*Melár* with dimple ſleek,
On whoſe fair front two muſky creſcents riſe:
While *Dayſcár* his rich neck
And mild *Bhopály* with freſh jaſmin deck.

Is that the King of Dread
With aſhy muſing face,
From whoſe moon-ſilver'd locks fam'd GANGA ſprings?
'Tis BHAIRAN, whoſe gay bed
Five bluſhing damſels grace,
And rouſe old Autumn with immortal ſtrings,
Till ev'ry foreſt rings;
*Bengály* lotos-crown'd,

*Vairáty*

*Vairáty* like the morn,
*Sindvy* with looks of ſcorn,
And *Bhairavy*, her brow with *Champa's* bound;
But *Medhumádha*'s eyes
Speak love, and from her breaſt pomegranates riſe.

Sing loud, ye lucid ſpheres;
Ye gales, more briſkly play,
And wake with harmony the drooping meads:
The cooler ſeaſon cheers
Each bird, that panting lay,
And SIRY bland his dancing bevy leads
Hymning celeſtial deeds:
*Marvá* with robes like fire,
*Vaſant* whoſe hair perfumes
With muſk its rich-eyed plumes,
*A'ſávery*, whom liſt'ning aſps admire,
*Dhenáſry*, flow'r of glades,
And *Málſry*, whom the branching *Amra* ſhades.

MALCAUS apart reclines
Bedeck'd with heav'n-ſtrung pearls,
Blue-mantled, wanton, drunk with youthful pride;
Nor with vain love repines,
While ſoftly-ſmiling girls
Melt on his cheek or frolick by his ſide,
And wintry winds deride;
*Shambháwty* leads along
*Cocabh* with kerchief rent,
And *Gaúry* wine-beſprent,
Warm *Guncary*, and *Toda* ſweet in ſong,

Whom

Whom antelopes ſurround
With ſmooth tall necks, and quaff the ſtreaming ſound.

Nor deem theſe nuptial joys
With lovely fruit unbleſt:
No; from each God an equal race proceeds,
From each eight blooming boys;
Who, their high birth confeſs'd,
With infant lips gave breath to living reeds
In valleys, groves, and meads:
Mark how they bound and glance!
Some climb the vocal trees,
Some catch the ſighing breeze,
Some, like new ſtars, with twinkling ſandals dance;
Some the young *Shamma* ſnare,
Some warble wild, and ſome the burden bear.

Theſe are thy wond'rous arts;
Queen of the flowing ſpeech,
Thence SERESWATY nam'd and VA'NY bright!
Oh, joy of mortal hearts,
Thy myſtick wiſdom teach;
Expand thy leaves, and, with ethereal light,
Spangle the veil of night.
If LEPIT pleaſe thee more,
Or BRA'HMY, awful name,
Dread BRA'HMY's aid we claim,
And thirſt, VA'CDE'VY, for thy balmy lore
Drawn from that rubied cave,
Where meek-ey'd pilgrims hail the triple wave.

A HYMN

# A HYMN

TO

# *G A N G A'.*

## THE ARGUMENT.

THIS poem would be rather obſcure without geographical notes; but a ſhort introductory explanation will ſupply the place of them, and give leſs interruption to the reader.

We are obliged to a late illuſtrious *Chineſe* monarch named CAN-HI', who directed an accurate ſurvey to be made of *Pótyid* or (as it is called by the *Arabs) Tebbut*, for our knowledge, that a chain of mountains nearly parallel with *Imaus*, and called *Cantéſè* by the *Tartars*, forms a line of ſeparation between the ſources of two vaſt rivers; which, as we have abundant reaſon to believe, run at firſt in oppoſite directions, and, having finiſhed a winding circuit of two thouſand miles, meet a little below *Dhácà*, ſo as to incloſe the richeſt and moſt beautiful peninſula on earth, in which the BRITISH nation, after a proſperous courſe of brilliant actions in peace and war, have now the principal ſway. Theſe rivers are *deified* in INDIA; that, which riſes on the *weſtern* edge of the mountain, being conſidered as the daughter of MAHA'-DE'VA or SIVA, and the other as the ſon of BRAHMA': their loves, wanderings, and nuptials are the chief ſubject of the following Ode, which is feigned to have been the work of a BRA'HMEN, in an early age of HINDU antiquity, who, by a prophetical ſpirit, diſcerns the toleration and equity of the BRITISH government, and concludes with a prayer *for its peaceful duration under good laws well adminiſtered.*

After

After a general defcription of the *Ganges*, an account is given of her fabulous birth, like that of *Pallas*, from the forehead of *Siva*, the *Jupiter Tonans* and *Genitor* of the *Latins*; and the creation of her lover by an act of *Brahmá*'s will is the fubject of another ftanza, in which his courfe is delineated through the country of *Pótyid*, by the name of *Sanpò*, or *Supreme Blifs*, where he paffes near the fortrefs of *Rimbù*, the ifland of *Palté* or *Yambrò* (known to be the feat of a high prieftefs almoft equally venerated with the Goddefs *Bhawáni*) and *Trafhilhumbo* (as a *Póiya* or *Tebbutian* would pronounce it), or the facred manfion of the *Lama* next in dignity to that of *Pótala*, who refides in a city, to the fouth of the *Sanpò*, which the *Italian* travellers write *Sgigatzhè*, but which, according to the letters, ought rather to be written in a manner, that would appear ftill more barbarous in our orthography. The *Brahmaputra* is not mentioned again till the *twelfth* ftanza, where his progrefs is traced, by very probable conjecture, through *Rangamáti*, the ancient *Rangamriticà* or *Rangamar*, celebrated for the fineft fpikenard, and *Sríhàt* or *Siret*, the *Serratæ* of *Elian*, whence the fragrant effence extracted from the *Malobathrum*, called *Sádah* by the *Perfians*, and *Téjapátra* by the *Indians*, was carried by the *Perfian* gulf to *Syria*, and from that coaft into *Greece* and *Italy*. It is not, however, pofitively certain, that the *Brahmaputra* rifes as it is here defcribed: two great geographers are decidedly of oppofite opinions on this very point; nor is it impoffible that the *Indian* river may be one arm of the *Sanpò*, and the *Nau-cyan*, another; diverging from the mountains of *Afhám*, after they have been enriched by many rivers from the rocks of *China*.

The *fourth* and *fifth* ftanzas reprefent the Goddefs obftructed in her paffage to the weft by the hills of *Emodi*, fo called from a *Sanfcrit* word fignifying *fnow*, from which alfo are derived both *Imaus* and *Himálaya* or *Himola*. The *fixth* defcribes her, after her entrance into *Hindúftan* through the ftraits of *Cúpala*, flowing near *Sambal*, the *Sambalaca* of *Ptolemy*, famed for a beautiful plant of the like name, and thence to the once opulent city and royal place of refidence, *Cányacuvja*, erroneoufly named *Calinipaxa* by the *Greeks*, and *Canauj*, not very accurately, by the modern *Afiaticks*: here fhe is joined by the *Calinadi*, and purfues her courfe to *Prayága*, whence the people of *Bahár* were named *Prafii*, and where the *Yamunà*, having received the *Serefwatì*

*refwatì* below *Indrapreſt'ha* or *Dehlì*, and watered the poetical ground of *Mat'hurà* and *Agarà*, mingles her noble ſtream with the *Gangà* cloſe to the modern fort of *Ilahábàd*. This place is conſidered as the confluence of *three* ſacred rivers, and known by the name of *Trivéni*, or the *three plaited locks*; from which a number of pilgrims, who there begin the ceremonies to be completed at *Gayà*, are continually bringing vaſes of water, which they preſerve with ſuperſtitious veneration, and are greeted by all the *Hindus*, who meet them on their return.

Six of the principal rivers, which bring their tribute to the *Ganges*, are next enumerated, and are ſuccinctly deſcribed from real properties: thus the *Gandac*, which the *Greeks* knew by a ſimilar name, abounds, according to *Giorgi*, with *crocodiles* of enormous magnitude; and the *Mahanadi* runs by the plain of *Gaura*, once a populous diſtrict with a magnificent capital, from which the *Bengaleſe* were probably called *Gangaridæ*, but now the ſeat of deſolation, and the haunt of wild beaſts. From *Prayága* ſhe haſtens to *Cásì*, or as the *Muſlimans* name it, *Benáres*; and here occaſion is taken to condemn the cruel and intolerant ſpirit of the crafty tyrant AURANGZI'B, whom the *Hindus* of *Caſhmìr* call *Aurangásùr*, or the *Demon*, not the *Ornament*, of the *Throne*. She next bathes the ſkirts of *Pátaliputra*, changed into *Patna*, which, both in ſituation and name, agrees better on the whole with the ancient *Palibothra*, than either *Prayága*, or *Cányacuvja*: if *Megaſthenes* and the ambaſſadors of *Seleucus* viſited the laſt-named city, and called it *Palibothra*, they were palpably miſtaken. After this are introduced the beautiful hill of *Mucligiri*, or *Mengìr*, and the wonderful pool of *Sítá*, which takes its name from the wife of *Ráma*, whoſe conqueſt of *Sinhaldwíp*, or *Sílàn*, and victory over the giant *Ráwan*, are celebrated by the immortal *Válmíci*, and by other epick poets of *India*.

The pleaſant hills of *Cáligràm* and *Gangá-presàd* are then introduced, and give occaſion to deplore and extol the late excellent AUGUSTUS CLEVLAND, Eſq. who nearly completed by lenity the glorious work, which ſeverity could not have accompliſhed, of civilizing a ferocious race of *Indians*, whoſe mountains were formerly, perhaps, a rocky iſland, or waſhed at leaſt by that ſea, from which the fertile champaign of *Bengal* has been gained in a courſe of ages.

ages. The weſtern arm of the *Ganges* is called *B'hágirathì*, from a poetical fable of a demigod or holy man, named *Bhágírat'ha*, whoſe devotion had obtained from *Siva* the privilege of leading after him a great part of the heavenly water, and who drew it accordingly in two branches; which embrace the fine iſland, now denominated from *Káſimbázàr*, and famed for the defeat of the monſter *Sirájuddaulah*, and, having met near the venerable *Hindu* ſeminary of *Nawadwip* or *Nedíyá*, flow in a copious ſtream by the ſeveral *European* ſettlements, and reach the Bay at an iſland which aſſumes the name of *Ságar*, either from the *Sea* or from an ancient Raja of diſtinguiſhed piety. The *Sundarabans* or *Beautiful Woods*, an appellation to which they are juſtly entitled, are incidentally mentioned, as lying between the *Bhágirat'hì* and the *Great River*, or *Eaſtern* arm, which, by its junction with the *Brahmáputra*, forms many conſiderable iſlands; one of which, as well as a town near the conflux, derives its name from *Lacſhmì*, the Goddeſs of Abundance.

It will ſoon be perceived, that the *form* of the ſtanza, which is partly borrowed from GRAY, and to which he was probably partial, as he uſes it *ſix* times in *nine*, is enlarged in the following Hymn by a line of *fourteen* ſyllables, expreſſing the long and ſolemn march of the great *Aſiatick* rivers.

THE

# THE HYMN.

HOW ſweetly GANGA′ ſmiles, and glides
Luxuriant o'er her broad autumnal bed!
Her waves perpetual verdure ſpread,
Whilſt health and plenty deck her golden ſides:
As when an eagle, child of light,
On *Cambala*'s unmeaſur'd height,
By *Pótala*, the pontiff's throne rever'd,
O'er her eyry proudly rear'd
Sits brooding, and her plumage vaſt expands,
Thus GANGA′ o'er her cheriſh'd lands,
To *Brahmà*'s grateful race endear'd,
Throws wide her foſt'ring arms, and on her banks divine
Sees temples, groves, and glitt'ring tow'rs, that in her cryſtal ſhine.

Above the ſtretch of mortal ken,
On bleſs'd *Cailáſa*'s top, where ev'ry ſtem
Glow'd with a vegetable gem,
MAHE′SA ſtood, the dread and joy of men;
While *Párvatì*, to gain a boon,
Fix'd on his locks a beamy moon,
And hid his frontal eye, in jocund play,
With reluctant ſweet delay:
All nature ſtraight was lock'd in dim eclipſe
Till *Bráhmans* pure, with hallow'd lips
And warbled pray'rs reſtor'd the day;

When

When GANGA' from his brow by heav'nly fingers prefs'd
Sprang radiant, and defcending grac'd the caverns of the weft.

The fun's car blaz'd, and laugh'd the morn;
What time near proud *Cantéfa*'s eaftern bow'rs,
(While *Dévatà's* rain'd living flow'rs)
A river-god, fo *Brahmà* will'd, was born,
And roll'd mature his vivid ftream
Impetuous with celeftial gleam:
The charms of GANGA', through all worlds proclaim'd,
Soon his youthful breaft inflam'd,
But deftiny the bridal hour delay'd;
Then, diftant from the weft'ring maid,
He flow'd, now blifsful *Sanpò* nam'd,
By *Paltè* crown'd with hills, bold *Rimbu*'s tow'ring ftate,
And where fage *Trafhilhumbo* hails her *Lama*'s form renate.

But fhe, whofe mind, at *Siva*'s nod,
The picture of that fov'reign youth had feen,
With graceful port and warlike mien,
In arms and vefture like his parent God,
Smit with the bright idea rufh'd,
And from her facred manfion gufh'd,
Yet ah! with erring ftep—The weftern hills
Pride, not pious ardour, fills:
In fierce confed'racy the giant bands
Advance with venom-darting hands,
Fed by their own malignant rills;
Nor could her placid grace their favage fury quell:
The madding rifts and fhould'ring crags her foamy flood repell.

"Confufion

" Confuſion wild and anxious wo
" Haunt your waſte brow, ſhe ſaid, unholy rocks,
" Far from theſe nectar-dropping locks!
" But thou, lov'd Father, teach my waves to flow."
Loud thunder her high birth confeſs'd;
Then from th' inhoſpitable weſt
She turn'd, and, gliding o'er a lovelier plain,
Cheer'd the pearled Eaſt again:
Through groves of nard ſhe roll'd, o'er ſpicy reeds,
Through golden vales and em'rald meads;
Till, pleas'd with INDRA's fair domain,
She won through yielding marl her heav'n-directed way:
With lengthen'd notes her eddies curl'd, and pour'd a blaze of day.

Smoothly by *Sambal*'s flaunting bow'rs,
Smoothly ſhe flows, where *Calinadi* brings
To *Cányacuvja*, ſeat of kings,
On proſtrate waves her tributary flow'rs;
Whilſt *Yamunà*, whoſe waters clear
Fam'd *Indrapreſtha*'s vallies cheer,
With *Sereſwati* knit in myſtick chain,
Gurgles o'er the vocal plain
Of *Mathurà*, by ſweet *Brindávan*'s grove,
Where *Gópa*'s love-lorn daughters rove,
And hurls her azure ſtream amain,
Till bleſt *Prayága*'s point beholds three mingling tides,
Where pilgrims on the far-ſought bank drink nectar, as it glides.

From *Himola*'s perennial ſnow,
And ſouthern *Palamau*'s leſs daring ſteep,
Sonorous rivers, bright though deep,
O'er thirſty deſerts youth and freſhneſs throw.

' A goddeſs

'A goddeſs comes,' cried *Gumti* chaſte,
And roll'd her flood with zealous haſte:
Her follow'd *Sona* with pellucid wave
Dancing from her diamond cave,
Broad *Gogra*, ruſhing ſwift from northern hills,
Red *Gandac*, drawn by crocodiles,
(Herds, drink not there, nor, herdſmen, lave!)
*Coſa*, whoſe bounteous hand *Népálian* odour flings,
And *Mahanadi* laughing wild at cities, thrones, and kings.

Thy temples, CA'SI', next ſhe ſought,
And verd'rous plains by tepid breezes fann'd,
Where health extends her pinions bland,
Thy groves, were pious *Válmic* ſat and thought,
Where *Vyáſa* pour'd the ſtrain ſublime,
That laughs at all-conſuming time,
And *Bráhmans* rapt the lofty *Véda* ſing.
Ceaſe, oh! ceaſe—a ruffian king,
The demon of his empire, not the grace,
His ruthleſs bandits bids deface
The ſhrines, whence gifts ethereal ſpring:
So ſhall his frantick ſons with diſcord rend his throne,
And his fair-ſmiling realms be ſway'd by nations yet unknown.

Leſs hallow'd ſcenes her courſe prolong;
But *Cáma*, reſtleſs pow'r, forbids delay:
To Love all virtues homage pay,
E'en ſtern religion yields. How full, how ſtrong
Her trembling panting ſurges run,
Where *Pátali*'s immortal ſon
To domes and turrets gives his awful name
Fragrant in the gales of fame!

Nor

Nor ftop, where RA'MA, bright from dire alarms,
Sinks in chafte *Sítà*'s conftant arms,
While bards his wars and truth proclaim:
There from a fiery cave the bubbling cryftal flows,
And *Mucligir*, delightful hill, with mirth and beauty glows.

Oh! rifing bow'rs, great *Càlì's* boaft,
And thou, from *Gangà* nam'd, enchanting mount,
What voice your wailings can recount
Borne by fhrill echoes o'er each howling coaft,
When He, who bade your forefts bloom,
Shall feal his eyes in iron gloom?
Exalted youth! The godlefs mountaineer,
Roaming round his thickets drear,
Whom rigour fir'd, nor legions could appall,
I fee before thy mildnefs fall,
Thy wifdom love, thy juftice fear:
A race, whom rapine nurs'd, whom gory murder ftains,
Thy fair example wins to peace, to gentle virtue trains.

But mark, where old *Bhágírath* leads
(This boon his pray'rs of *Mahádèv* obtain:
Grace more diftinguifh'd who could gain?)
Her calmer current o'er his weftern meads,
Which trips the fertile plains along,
Where vengeance waits th' oppreffor's wrong;
Then girds, fair *Nawadwìp*, thy fhaded cells,
Where the *Pendit* mufing dwells;
Thence by th' abode of arts and commerce glides,
Till *Ságar* breafts the bitter tides:
While She, whom ftruggling paffion fwells,

Beyond

Beyond the labyrinth green, where pards by moonlight prowl,
With rapture feeks her deftin'd lord, and pours her mighty foul.

Meanwhile o'er *Pótyid*'s mufky dales,
Gay *Rangamar*, where fweeteft fpikenard blooms,
And *Siret*, fam'd for ftrong perfumes,
That, flung from fhining treffes, lull the gales,
Wild *Brahmaputra* winding flows,
And murmurs hoarfe his am'rous woes;
Then, charming GANGA' feen, the heav'nly boy
Rufhes with tumultuous joy:
(Can aught but Love to men or Gods be fweet?)
When fhe, the long-loft youth to greet,
Darts, not as earth-born lovers toy,
But blending her fierce waves, and teeming verdant ifles;
While buxom *Lacfhmí* crowns their bed, and founding ocean fmiles.

What name, fweet bride, will beft allure
Thy facred ear, and give thee honour due?
*Vifhnupedì? Mild Bhífhmasù?*
Smooth *Suranimnagà? Trifrótà* pure?
By that I call? Its pow'r confefs;
With growing gifts thy fuppliants blefs,
Who with full fails in many a light-oar'd boat
On thy jafper bofom float;
Nor frown, dread Goddefs, on a peerlefs race
With lib'ral heart and martial grace,
Wafted from colder ifles remote:
As they preferve our laws, and bid our terror ceafe,
So be their darling laws preferv'd in wealth, in joy, in peace!

THE

THE

# FIRST NEMEAN ODE

OF

# *PINDAR.*

I. 1.

*CALM* breathing-place of ALPHEUS dread,
ORTYGIA, *graceful* branch of SYRACUSE renown'd,
*Young* DIANA'S *rosy* bed,
Sister of DELOS, thee, with sweet, *yet lofty*, sound
Bursting numbers call, to raise
Of tempest-footed steeds the trophies glorious
(Thus ETNEAN JOVE we praise);
While CHROMIUS' car invites, and NEMEA'S plain,
For *noble* acts victorious
To weave th' encomiastick strain.

I. 2.

From *prosp'ring* Gods the song begins;
Next hails that godlike man and virtue's holy meeds:
He the flow'r of greatness wins,
Whom smiling fortune crowns; and vast heroick deeds

Ev'ry muſe delights to ſing.
Now wake to that *fair* iſle the ſplendid ſtory,
Which the *great* OLYMPIAN king,
JOVE, gave to PROSERPINE, and wav'd his locks
Vowing, that, ſupreme in glory,
Fam'd for ſweet fruits and *nymph-lov'd* rocks,

I. 3.

SICILIA's full nutricious breaſt
With tow'r'd and wealthy cities he would crown.
Her the ſon of SATURN bleſs'd
With ſuitors brazen-arm'd for war's renown
By lance and fiery ſteed; yet oft thy leaves,
OLYMPICK olive, bind their hair
In wreathy gold. Great ſubjects I prepare;
But none th' immortal verſe deceives.

II. 1.

*Oft* in the portals was I plac'd
Of that gueſt-loving man, and pour'd the dulcet ſtrain,
Where becoming dainties grac'd
His hoſpitable board; for ne'er with efforts vain
Strangers to his manſion came:
And thus the virtuous, when detraction rages,
Quench with lib'ral ſtreams her flame.
Let each in virtue's path right onward preſs,
As each his art engages,
And, urg'd by genius, win ſucceſs.

II. 2.

Laborious action Strength applies,
And wary conduct, Senſe: the future to foreſee

Nature

Nature gives to few, the wiſe.
AGESIDAMUS' ſon, ſhe frankly gave to thee
Pow'rful might and wiſdom deep.
I ſeek not in dark cells the hoarded treaſure
*Grov'ling with low care* to keep,
But, as wealth flows, to ſpread it; and to hear
Loud fame, with ample meaſure
Cheering my friends, ſince hope and fear

*II. 3.*

Aſſail diſaſtrous men. The praiſe
Of HERCULES with rapture I embrace:
On the heights, which virtues raiſe,
The rapid legend old his name ſhall place;
For, when he *brook'd no more the cheerleſs gloom*,
*And* burſt into the blaze of day,
The child of JOVE with his twin-brother lay,
*Refulgent* from the ſacred womb.

III. 1.

Not unobſerv'd the godlike boy
By JUNO golden-thron'd the ſaffron cradle preſs'd;
Straight heav'n's queen with furious joy
Bade *hideous* dragons fleet th' *unguarded* floor infeſt:
They, the portals op'ning wide,
Roll'd through the chamber's broad receſs *tremendous*,
And in jaws *fire-darting* tried
The ſlumb'ring babe to cloſe. He, *ſtarting light*,
Rear'd his *bold* head *ſtupendous*,
And firſt in battle prov'd his might.

III.

III. 2.

With both resistless hands he clasp'd
Both *struggling horrid* pests, and cloth'd their necks with death;
They expiring, as he grasp'd,
Pour'd from their throats compress'd the foul envenom'd breath.
Horror seiz'd the female train,
Who near ALCMENA's *genial* couch attended:
She, from agonizing pain
Yet weak, *unsandal'd and* unmantled rush'd,
And her lov'd charge defended,
Whilst he the *fiery* monsters crush'd.

III. 3.

Swift the CADMEAN leaders ran
In brazen mail precipitately bold:
First AMPHITRYON, dauntless man,
Bar'd his rais'd falchion from its sheathing gold,
While griding anguish pierc'd his *flutt'ring* breast;
For private woes most keenly bite
Self-loving man; but soon the heart is light,
With sorrow, not its own, oppress'd.

IV. 1.

Standing in deep amazement wild
With rapt'rous pleasure mix'd, he saw th' enormous force,
Saw the valour of his child:
And fated heralds prompt, as heav'n had shap'd their course,
Wafted round the varied tale;
Then call'd he from high JOVE's contiguous region,
Him, whose warnings never fail,
TIRESIAS *blind*, who told, in diction sage,

The

The chief and thronging legion
What fortunes muſt his boy engage;

IV. 2.

What lawleſs tyrants of the wood,
*What ſerpents* he would ſlay, what monſters of the main,
What proud foe to human good,
The worſt of monſtrous forms, *that holy manhood ſtain*,
His huge arm to death would daſh:
How, when heav'n's hoſt, o'er PHLEGRA's champaign *haſting*,
With embattled giants *raſh*
*Vindictive* warr'd, his pond'rous mace would ſtorm
With dreadful ſtrokes *wide-waſting*,
And duſt their glitt'ring locks deform,

IV. 3.

He told; and how in bliſsful peace
Through cycles infinite of gliding time,
When his mortal taſk ſhould ceaſe,
Sweet prize of perils hard and toil ſublime,
In gorgeous manſions he ſhould hold entranc'd
Soft HEBE, freſh with blooming grace,
And crown, exalting his majeſtick race,
The bridal feaſt near JOVE advanc'd.

AN

# EXTRACT

FROM THE

# *BHÚSHANDÁ RÁMÁYAN.*

THE beautiful and lofty mountain, called NEIL, *or azure*, has a pointed ſummit of pure gold: the holy trees, *Peipel*, *Ber*, and *Pacr*, flouriſh on its brow; and its top is crowned with a pool of water ſhining like diamonds of exquiſite brilliancy: clear, freſh, and ſweet ſtreams, diſplaying a rich variety of colours, flow from all ſides of it; and thouſands of birds warble rapturous lays among the ſacred branches. Here the Crow BHU'SHANDA', who had been adorned with many virtues, and diſgraced by many vices, who had lived in every part of the univerſe, and knew all events from the beginning of time, had fixed his abode. Under the *Peipel*, he meditated on the divinity: under the *Pacr* he poured forth invocations: under the ſhade of the *Ber* he chanted the ſtory of VISHN; to hear which the feathered inhabitants of woods and of waters aſſembled around him; and even MAHADAYO, in the form of the *large white-plumed* MARA'L, perched on a bough, was delighted with liſtening to the adventures of the all-good and all-powerful RA'M.

To

To this mountain the ſage Eagle GERHUR, eſſence of all amiable qualities who ſtands near *Viſhn* himſelf, and is ridden by that ſtupendous God, haſtily took his flight, and was relieved, on beholding it from the cares, which before oppreſſed him: he bathed his pinions in the pool, and refreſhed his beak with a draught of the hallowed water. Juſt as *Bhúſhandá* was opening his divine hiſtory, the king of air appeared in his preſence: the winged aſſembly paid him reſpectful homage, ſaluted him with ſolemn expreſſions of reverence, and then, addreſſing him with ſweet words of affection, placed him on a ſeat becoming his high dignity.

" Monarch of birds, began the Crow, the ſight of thee tranſports me " with joy, ſignify to me thy commands; and inform me what induce- " ment has brought thee to the manſion of thy ſervant."

" Brother, anſwered *Gerúr*, the purpoſe of my viſit was in part an- " ſwered by my firſt view of thy charming retreat; and the doubts, which " thou alone couldſt have removed from this breaſt, are now almoſt wholly " diſperſed: but liſten to my recital.

" When the ſon of RA'WAN, the giant, with a thouſand arms, had " bound *Rám* with a ſnake diſcharged from his bow, NARED commiſ- " ſioned me to diſentangle the celeſtial warriour; and the commiſſion " was executed with faithful diſpatch: but pride aroſe in my heart; and " conſidering that even mortals are exempt through devotion, from the " ſhackles of terror, I concluded that, if *Rám* had in truth been a deity of " boundleſs power, he could never have been made captive by the fold " of a reptile. All night was I diſturbed by theſe embarraſſing reflexions; " and my arrogance, as the deliverer of a god, attained ſuch a height, that " my reaſon had nearly forſaken me: I retained, however, ſenſe enough " to ſeek a ſolution of my doubts; and, haſtening to my wiſe employer " *Náred*, laid open to him the ſecret of my boſom.

Thou

"Thou *art fallen,* ſaid the ſon of BREHMA', with a compaſſionate "aſpect, *into the ſnares of paſſion, from which the moſt virtuous, when they "fail to exert their underſtandings, cannot be ſecure: that appearance, by "which thou haſt been caught, was only the* MA'YA', *or deception of Viſhn, "which has often deluded even me. To give thee perfect relief, exceeds my "power: go to the palace of my father, and implicitly follow his directions.*

"With all imaginable ſwiftneſs I flew to the heaven of *Brehmá*, giving "praiſes to my lord and rider *Viſhn*, and explained to the benign God, the "grounds of my perplexity. The Creator ſtood awhile in ſilence, re- "flecting on the glories of *Rám*, and the force of his illuſions; then, leav- "ing his meditation, *It is no wonder,* ſaid he, *that thou haſt been deceived "by a power, from which I, at the very time of the creation, was not ex- "empt.* RA'M *has tried thee by a deluſive appearance*; *and, when thou hadſt "untwiſted the living chain, which entangled him, thou ſatſt all night elated "with pride, and contemplating thy own prowеſs.* Haſten, therefore, to the "palace of MAHA'DAYO, than whom no deity better knows the ſupre- "macy of RA'M: he will diſſipate thy ſorrows.

"His words were inſtantly followed by my flight towards *Cailás*, but "I met the deſtroying power near the manſion of COBAYR, the wealthy "genius of the north. Having liſtened benignantly to my narrative, he "thus inſtructed me: 'Thou art under the influence of a ſtrong paſſion, "from which no diſcourſe of mine can ſo ſoon relieve thee, as the conver- "ſation of religious perſons, and ſerious attention to the hiſtory of *Viſhn*, "related by pious *Munys* in ſweet accents. Without converſing with "the religious, the noble deeds of the preſerving power cannot be known; "without that knowledge, the paſſions cannot be conquered; without "that conqueſt, true devotion cannot be acquired; and without that "acquiſition, whatever ſacrifices may be performed, or ceremonies ob- "ſerved, God will never be ſeen by man. Fly, O *Gerúr*, to the re- "gions of the weſt, and piouſly attend, with birds of inferior wing, to "the

" the achievements of *Rám*; as they will be related by the wiſe habitant " of the azure mountain, the virtuous *Bhúſandá*: the relation will ſubdue " thy paſſion, and wholly diſpel thy ſorrows. Expect not a remedy " from me; ſince thou haſt entertained proud thoughts concerning *Rám*, " by whom I have been highly favoured: beſides, one bird will convey " inſtruction more effectually to another bird in their common dialect.'

" Not a moment was loſt by me in ſeeking thy delightful abode; and " the ſight of it almoſt entirely deſtroyed my pride with its bitter, but " certain, fruit, affliction. Complete my recovery, beloved brother, by " reciting the ſacred ſtory of *Rám*."

The devout *Bhúſhandá* complied immediately with his requeſt; and having pronounced an eulogium on the incarnate God, began with an account of his *Avatar*, or *Deſcent*; and then related the adventures of his childhood, the actions of his youth, and the circumſtances of his marriage with SEI'TA'. He next informed the attentive eagle, how the machinations of B'HA'RT, the half-brother of *Rám*, and of CAYCAI', his ſtep-mother, induced king JESRET, his father, to ſend him into the woods, while the whole nation in agony mourned his loſs; how LECH'HMEN, his affectionate brother, inſiſted on accompanying him in exile; how they meditated on Providence in a great foreſt, and afterwards paſſed the *Ganga* to preach leſſons of devotion in populous towns: he proceeded to the death of the old *Rájá*, the penitence of *B'hárt*, and his journey in purſuit of *Rám*, who, after long and earneſt ſolicitation, returned to *Ayodhya*, where he lived with the ſplendour of a divinity: he told, how *Rám* again retired among the thickets, and there gave inſtructions to hermits and reverend *Munys*; how *Lech'hmen* was provoked to disfigure a gianteſs, and ſlay two giants, the ſiſter and kinſmen of *Ráwan*; how that imperious demon violently ſeized the incomparable *Seítá*, and bore her captive to the place of his tyrannous empire, the iſle of LANCA'; how *Rám*, afflicted to exceſs, paſſed the whole rainy ſeaſon upon a mountain,

mountain, having contracted a friendſhip with the race of *Apes*, and appointed their chief, HENU'MAN, ſon of the wind, to the command of his new-raiſed army; how they diſcovered the bower of *Aſoca*'s*, in which *Seitá* was confined; how a vaſt bridge was erected by them over the ſea, from which *Henúman* leaped into the iſland, conſoled the faithful *Seitá*, and ſet fire to the gardens of *Rávan*; who, in a deſperate engagement, was routed and ſlain by *Rám*; laſtly, how the divine conqueror reviſited his country, reſtored to joy its diſconſolate inhabitants, conferred high honours on the learned Bráhmens, treated his preceptor BA'SISHT with ſuch reverence, that he drank the water in which he had waſhed the feet of the *Muny*, and inſtructed the humble *B'hárt* in celeſtial knowledge; how the *Ránys* and highborn damſels, having bathed the lovely *Seitá*, decorated her with ineſtimable jewels, and offered her holy curds in golden baſons, crowned with branches of *Tulſy*; how the princes of the apes, and other warlike beaſts, aſſumed the moſt beautiful human forms; how men of all ranks, who flocked to the palace, forgetting their homes, as the pious forget their enemies, concurred in ſinging the praiſes of their king, while the gods rained flowers from heaven on the delighted aſſembly.

"The feſtivals and entertainments," added the crow, on his receiving the ſacred mark of vermilion, and aſcending the throne with *Seitá*, "thou "ſawſt, O monarch of the air, and waſt enraptured with devout joy; for "*Brahma*, *Mahádayo*, *Náred*, and other deities, attended them; nor "wouldſt thou be abſent on ſo ſignal an occaſion. During this reign, "no terrors alarmed, or ſorrows rent, the boſoms of his votaries; all was "love, piety, concord; the name of vice was unknown or unheard; "none were then infirm, none ignorant, none diſtreſſed; ſweet and ſa- "lutary liquors flowed from every tree; perpetual bloſſoms laughed on "the ſtalks, and perpetual fruit hung glittering from the branches; a "cool placid gale blew without ceaſing; the birds charmed each foreſt

* Joneſia of Doctor Roxburgh.

"with

"with aëreal melody; and animals, the moſt oppoſite in their kinds, "lived together, like the venerable cow with her own calf, in perfect "amity, and even tenderneſs. Such were the bleſſings derived by "mankind from *Rám*, whoſe preſence rendered the *ſilver* age equal in "virtue and happineſs to that of *gold*."

As ſoon as *Buſunda* had concluded his narration: "O adorable *Rám*," exclaimed the eagle, "I revere thee for thy power, and love thee for "thy goodneſs! Hadſt thou not been pleaſed to raiſe doubts in my mind, "and, by thy divine *Máyá*, to beguile me into the ſin of pride, how "ſhould I have been directed to this noble mountain? How ſhould I "have heard the recital of thy glorious actions? How ſhould the ardent "love of thee have been kindled in my boſom?'

"Me too," ſaid the crow, "has *Rám* exalted, by procuring me the ho-"nour of being thus conſulted by the ſovereign of birds. To thee his "affection has been ſignally manifeſted; and thou mayeſt now ceaſe "to wonder, that the moſt eminent among the deities, and the moſt "virtuous *Riſhys*, have fallen under the dominion of the paſſions. "What being exiſts, but God, who was never ſeduced by the love of "wealth; whom nothing has provoked to wrath, or ſtimulated to ven-"geance; whom the pleaſures of youth have not allured, nor female "beauty ſmitten with the ſhafts of large and languiſhing eyes? Who "can boaſt of a conſtant exemption from groundleſs terrors and unavail-"ing grief? Whoſe fame has never been blemiſhed by pride? Whom "has ambition never captivated with falſe views of greatneſs? All theſe "temptations and blandiſhments are the daughters of *Máyá*, with whoſe "faſcinations, diffuſed over the world, *Viſhn* deludes all creatures for "their ultimate advantage. He is the being of beings, one ſubſtance "in three forms; without mode, without quality, without paſſion; im-"menſe, incomprehenſible, infinite, indiviſible, immutable, incorporeal, "irreſiſtible: His operations no mind can conceive; and his will moves

"all

" all the inhabitants of the univerfe, as puppets are moved by ftrings. " The pious, whom he loves, as a mother loves her only infant, rejoice " in his government, and exult in his glory; while the irreligious, who " are proud, ignorant, captious, and madly impute to *Rám* the confe- " quences of their own ftupidity, vainly afflict themfelves, and view all " objects in falfe colours; as they, whofe eyes are inflamed, fuppofe the " moon alfo to be red: their folly would make them believe, that the " fun rifes in the weft, and their fears agitate them, like fmall barques " toffed by the waves. Were the firmament illumined by fixteen moons, " yet, if no fun rofe, the ftars would not difappear: thus, without reli- " gion and humility, vice and error cannot be difperfed. As an illuftra- " tion of thefe truths, hear, O *Gerúr*, the ftory of my life; and mark the " fad effects of my fin.

" When *Rám* was born in *Audh*, I repaired eagerly to his birthplace, " attended him five years with affiduity, contemplating his beautiful fea- " tures, and receiving happinefs from the fparkles of his eye. He ufed " to laugh when I approached him, and when I departed, to weep: " fometimes he tried to feize me by the feet, and fhed tears if I flew out " of his reach. *Can this*, I thought, *can this be the ruler of the univerfe?* " Thus was I entangled by his illufion, and my mind was perplexed " with doubts; I became fad and penfive; but the divine infant laughed " at my diftrefs, One day, he ran fuddenly to catch me; but feeing his " body black and his feet ruddy, I took my flight aloft with inexpreffible " agitation: he ftretched out his arm, and how high foever I flew, the " fame arm purfued me at an equal diftance. As foon as I reached the " heaven of *Brahma*, I looked back, and ftill faw behind me the arm of " *Vifhn*; amazed and ftupefied, I clofed my eyes in a trance, and found " myfelf, when I opened them, near the city of *Ayodhya*.

" On my return to the palace of *Jefret*, I renewed my homage to *Rám*; " but he made a fport of my confufion, which was fo great, that, as he " laughed,

"laughed, I flew into his mouth: there I ſaw myriads of heavens infi-
"nitely ſplendid, myriads of *Brahma*'s and *Mahadayo*'s, myriads of ſuns,
"moons, and ſtars, gods and goddeſſes, *Rájá*'s and *Rány*'s, and gazed
"beneath me on this vaſt earth, girt with multitudinous ſeas, veined with
"rivers, clothed with foreſts, and peopled with numberleſs animals.
"An hundred complete years I dwelled in each heaven; and traverſing
"them all, was dazzled with their endleſs and unutterable glories; but,
"whitherſoever I ſhaped my courſe, I beheld ONE only, RA'M, the ſame
"lovely infant, whoſe idea was impreſſed indelibly on my mind.

"Having ſpent a wonderful period of revolving ages in this ethereal
"jaunt, I returned to my own habitation; where I heard, that *Rám* was
"become incarnate, and, haſtening to the place of his birth, I enjoyed the
"rapture of beholding him: yet was my heart ſtill agitated by a ſtorm of
"paſſions, and a thouſand cares aroſe in my breaſt. *Rám*, knowing
"what anxiety his deceptions had produced, again laughed, and I
"flew out of his mouth into open air. On finding that I had rambled
"over ſo many worlds, and ſeen ſo many wonders in ſo few minutes,
"and on conſidering the power of the divine ſpirit, I fell breathleſs to
"the ground: at length: 'Have pity, ſaid I, have pity on me; and
"ceaſe, O thou, who rewardeſt the devout! ceaſe to delude and grieve
"thy humiliated votary.' The deity then perceiving my unfeigned
"anguiſh, ſuſpended the influence of his *Maia*, placed his hands with
"gentleneſs on my head, relieved at once my ſolicitude; and, having
"mildly heard a fervent effuſion, which I pronounced with weeping
"eyes, commanded me to aſk for whatever I moſt deſired: I aſked for
"true piety towards him; and he gave it with gracious praiſe, added
"to heavenly benedictions. Adore, therefore, and invoke perpetually
"that inviſible being, who, having no ſhape, is deſcribed in the *Vayds*
"by a ſimilitude, and compared to a bottomleſs ocean of innumerable
"virtues."

"How

"How ſalutary," ſaid *Gerúr*, "are the leſſons of a ſpiritual inſtructor! "If a hundred *Brahmas* and a hundred *Mahadayos* had aſſiſted me, I "ſhould not have been ſo effectually relieved."

After a long converſation between *Buſund* and his penitent viſitor, in which they reciprocally told their moſt intereſting adventures, the crow diſcourſed more at large on the grandeur of *Rám*, and the bleſſings of the age, in which he appeared on earth. "Very different," continued he, "will be the *Cal Yug*, or age of *impurity!* Then ſhall prieſts, kings, and "ſubjects, be wholly abandoned to vice; neglecting holy rites, and the "due obſervance of ranks; not conſidering genuine piety, as the true, "and invaluable gem, which all ought to ſeek: ſuch as babble faſteſt will "be dignified with the title of *Pendits*; and ſuch as relate moſt untruths, "with the epithet of virtuous; they who wear necklaces of beads, and "the dreſs of *Goſains*, will be reverenced as obſervers of inſpired ſcrip-"ture; and they who ſuffer their nails to grow unpaired, and their hair "uncut, or ſtand longeſt on one leg, holding the other in their hand, as "devout *Senniyáſys:* the low caſt of *Shudrs* will have *Bráhmens* for their "diſciples, and preſume to wear the ſame cord; while the *Bráhmens* will "be diſtinguiſhed only by that mark, which they will be ſure to diſplay "uncovered: they will be illiterate, covetous, luxurious, inobſervant of "rites, and reſembling bulls without their tails; diſſipating the property, "not the ignorance, or uneaſineſs, of their pupils; and even parents will "inſtruct their children in gluttony, not in religion. Then will *Rájás* "be mercileſs, and profligate, putting *Bráhmens* to death, and continually "racking or amercing their ſubjects, numbers of whom will die through "want, ſince famine will from time to time deſolate whole provinces; "the clouds will ſhed no rain; and the ground will yield no return for "the grains it has received: yet, even in this debaſed age, the miſerable "race of men may be ſaved by affectionate devotion towards *Rám*, not "appearing in external acts, but glowing in the receſſes of the heart."

"The

"The diforders of that age," faid the eagle, "will, indeed, be as terri-
"ble, as the remedy is delightful, and certain."

"Happy," faid *Bhufhunda*, "will be they, who faithfully apply it;
"but the domination of pride is more or lefs abfolute in every human
"breaft: this abominable fin caufed the many changes of my form, and
"my condemnation to a lonely refidence among thefe rocks.

"In a temple of *Mahádayo* I ftood invoking his name, when the guide
"of my youth, my inftructor in religious duties, entered it with true hu-
"mility; yet fuch was my arrogance, from a vain conceit of my own
"piety and knowledge, that I made him no falutation, and fhowed him
"no refpect. He opened not his lips, nor was he moved to anger by
"my prefumption; but the God, whom we adored, bore it not fo mildly,
"and in a tremendous voice from above, thundered againft me a fen-
"tence of perpetual mifery. This dreadful judgement threw my indulg-
"ent preceptor into an agony of grief; his limbs trembled, his tongue
"faultered; and cafting himfelf on the earth, with clafped hands, he
"fupplicated for a mitigation of my doom. Such benignity, and zeal,
"could not but appeafe the wrathful divinity, who fpoke thus from the
"fummit of *Cáilás*: 'Juftice requires the chaftifement of this proud
"mortal, but thy piety has procured a remiffion of its greateft pains.
"He fhall fuffer a thoufand tranfmigrations, and in all of them fhall
"exift without pleafure, but not without wifdom; he fhall be a con-
"ftant adorer of *Vifhn*, and again fhall affiduoufly invoke my name.
"This bleffing, too, fhall attend him: he fhall be loved by all.' On
"leaving my human fhape by death, I was re-born in that of a ferpent;
"and in all my metamorphofes, continued to worfhip *Mahádayo*, by
"whofe grace I left each body, as a man puts off his old vefture.

"After many changes I became a *Bráhmen*, but the feeds of pride ftill
"germinating

" germinating in my heart, I difliked the inftructions of my father, and " retiring to the woods and mountains, meditated inceffantly on the at- " tributes of GOD ; there I heard the difcourfes of a venerable *Ricfhy*, " with whom I had the boldnefs to contend in argument, and to maintain " the preference of devotion towards the *vifible*, or *incarnate*, over that " towards the *invifible* deity. The fage, irritated by my obftinate pre- " fumption, loft for a while the command of his temper, and uttered an " imprecation, in confequence of which I thus exift as a bird of the low- " eft race ; but *Mahádayo*, having calmed his difturbed intellect, he re- " pented of his anger, and when I affumed my prefent figure, confoled " me with tender expreffions, gave me the *Mentr*, or *Incantation* of *Rám*, " advifed me to attend the God in his infancy, and afterwards to feek " this retirement, in which I have fpent myriads of years : he concluded " with a benizon, confirmed by a voice from heaven, faying : 'Granted " be the wifhes of the pious !'

" Here has my opinion been more and more deeply fixed, that the ig- " norant who neglect the cow CA'MD'HEN, fource of all true felicity, " and afpire only to fenfual gratifications, refemble thofe who go fearch- " ing for the herb *acun*, but only defire its milk ; that men without re- " ligion, are like thofe who try to pafs the ocean without a fhip ; and " that, although the human foul be an immortal emanation from the di- " vinity, they who are fwayed by their paffions, become like parrots in " a cage, or apes confined by a chain. Not fo the religious, who ftudy " the *Vayds*, and perform good actions ; they refemble cows depafturing " green plains, whofe udders are diftended with milk, with which the " herdfman fills his bowl ; then, having boiled it, he lets it cool in the " frefh air, turns it into curd, and beats it into delicious butter. Piety is " the fire, which increafes the goodnefs of the milk, burning away the " ftains of vice ; and repentance conftitutes the butter, which being con- " verted into oil, fupplies the lamp of the underftanding, by which di-

" vine books are perufed, and luminous truths difcovered. Then the " propitious gods delight to co-operate with mortals; in each of whofe " corporeal fenfes are many lattices, where the deities continually keep " watch; and, if the foul unwarily leaves them open to the hot en-" venomed wind of temptation, a fincere invocation of thofe heavenly " guardians will preferve the precious light from total extinction.'

" The tranfported eagle attentively heard the fublime doctrines of " *Bufundá*, and requefted him to complete the leffon, by defining the " moft excellent of natural *forms*, the higheft *good*, the chief *pain* and " *pleafure*, the greateft *wickednefs*, and the fevereft punifhment.

" I will defcribe them,' anfwered the crow, ' with precifion. In the " three worlds, empyreal, terreftrial, and infernal, no *form* excels the " *human*; fupreme *felicity* on earth, confifts in genuine *piety*, and *con-* " *tempt of worldly advantages*; the higheft enjoyment is the converfation " of the devout, and virtuous; the keeneft *pain* is inflicted by *extreme* " *poverty*; the worft of fins is *uncharitablenefs*, and the uncharitable, who " never fail to blafpheme the deities, and contemn the *Vayds*, fhall be " punifhed in *the profoundeft hell*; while the defpifers of their fpiritual " guides, fhall eternally live as *frogs*; of the *Bráhmens*, as *crows*; of the " pious, as *night-ravens*; of other men, as *bats*: fuch miferies are the " fruit of ungoverned paffion!'

" How fhould he,' continued *Bufundá*, ' who loves all men, and " whom all men love, be torn by affliction; or he be neceffitous, who " poffeffes the ftone *Paras*? How can they who hate their neighbours, " be free from terror; or how can the voluptuous be ultimately free from " pain? How can that country profper, in which *Bráhmens* are injuri-" oufly treated? or how fhall that kingdom ftand, in which juftice is not " adminiftered? How can he fail of fuccefs, who acts with circumfpec-

" tion?

"tion? How ſhall they be tormented with gloomy apprehenſions, who "deſpiſe not the virtuous? How ſhall he be reſcued from perdition, "who ſeduces the wife of another? or he live happily, who murmurs "at Providence? Who can be glorified without merit? and who can "be diſhonoured without blame? How, laſtly, can ſin dwell in him, "who liſtens to the ſtory, and pours forth the praiſes of RA'M? No "happineſs can equal the pure devotion of his adorers."

# EXTRACTS

FROM

# *THE VEDAS.*

THE following fragments were ſubmitted to the peruſal of a friend *, and are now publiſhed at his recommendation, communicated to the Editor in the following terms:

" The fragments ſubmitted to my peruſal, conſiſt of tranſlations of paſſages " in the Védas, and appear to be materials ſelected by Sir William Jones, " for the elucidation of a Diſſertation ' *On the Primitive Religion of the Hindus.*' " This Diſſertation was profeſſedly intended, " *to remove the veil from the ſup-* " *poſed myſteries of the primeval Indian Religion*;' and it is much to be regretted, " that it was never completed, and that the fragments, which are extremely " curious and intereſting, cannot be publiſhed with that elucidation which " they would have received from the pen of the tranſlator. I recommend, " however, the publication of them, as well as of the following extract."

* Lord Teignmouth.

# *EXTRACT FROM A DISSERTATION ON THE PRIMITIVE RELIGION OF THE HINDUS.*

* * * * * * * but that I may not ſeem to appropriate the merit of diſcoveries which others have previouſly made, I think it neceſſary to ſay, that the original *Gayatri*, or holieſt verſe in the Veda, has already been publiſhed, though very incorrectly, by *Fra Manuel da Aſſomcaon*, a ſucceſsful miſſionary from *Portugal*, who may have received it, as his countrymen aſſert, from a converted *Bráhman*; that the ſame venerable text was ſeen in the hand of Mr. WILKINS, who no doubt well underſtood it, by two Pandits of my acquaintance; and that a paraphraſe of it in Perſian may be found in the curious work of DARASHUCUH, which deſerves to be mentioned very particularly. That amiable, but impolitic prince, who ſacrificed his throne, and his life, to a premature declaration of his religious opinions, had employed ſix months, as he tells us, at *Banaras*, in tranſlating, and explaining, fifty-one *Upaniſhads*, or ſecrets of the old Indian ſcripture; but he tranſlated only the verbal interpretation of his Pandits, and blended the text of the *Veda*, with different gloſſes, and even with the converſation, I believe, of his living Hindu expoſitors, who are naturally ſo loquacious, that when they have began talking, they hardly know how to cloſe their lips.

Of this book I procured, with the aſſiſtance of Colonel *Polier*, a complete copy, corrected by a learned *Rájá*, named *Anandarám*, with whom the Colonel was very intimate: but though ſublime, and majeſtick, features of the original were diſcernible, in parts, through folds of the *Perſian* drapery; yet the Sanſcrit names were ſo barbarouſly written, and the additions of the tranſlator has made the work ſo deformed, that I reſolved to poſtpone a regular peruſal of it till I could compare it with the Sanſcrit original * * * * * * * * * * * * * * *

## *THE GAYATRI OR HOLIEST VERSE OF THE VEDAS.*

LET us adore the ſupremacy of *that* divine ſun *, the godhead † who illuminates all, who recreates all, from whom all proceed, to whom all muſt return, whom we invoke to direct our underſtandings aright in our progreſs towards his holy ſeat.

* * * * * *

WHAT the ſun and light are to this viſible world, that, are the *ſupreme good*, and *truth*, to the intellectual and inviſible univerſe; and, as our corporeal eyes have a diſtinct perception of objects enlightened by the ſun, thus our ſouls acquire certain knowledge, by meditating on the light of truth, which emanates from the Being of beings: *that* is the light by which alone our minds can be directed in the path to beatitude.

* Oppoſed to the viſible luminary.

† *Bhargas*, a word conſiſting of three conſonants, derived from *bhá*, to ſhine; *ram*, to delight; *gam*, to move.

apánipádó javanó gr̆ihítá,
páſyatyachacſhah ſa s'r̆inó tyacarnah:
ſa vétti vedyaṁ na che taſya véttá *
tamáhuragryaṁ peruſham maháritam.

Without hand or foot he runs rapidly, and graſps firmly; without eyes he ſees, without ears he hears *all*; he knows whatever can be known, but there is none who knows him: Him the wiſe call the great, ſupreme, pervading ſpirit.

Of this text, and a few others, RA'DHA'CANT has given a paraphraſe:

"Perfect truth; perfect happineſs; without equal; immortal; abſolute "unity; whom neither ſpeech can deſcribe, nor mind comprehend; all-"pervading; all-tranſcending; delighted with his own boundleſs intelli-"gence, not limited by ſpace, or time; without feet, moving ſwiftly; with-"out hands, graſping all worlds; without eyes, all-ſurveying; without "ears, all-hearing; without an intelligent guide, underſtanding all; with-"out cauſe, the firſt of all cauſes; all-ruling; all-powerful; the creator, "preſerver, transformer, of all things; ſuch is the Great One: this the "Védas declare."

* Inſtead of *Véttá* ſome copies of the text have *chéttá* for *chétayitá*, or *director of the mind*, Τὸ ἡγεμονικόν.

1. WHAT

1. WHAT relifh can there be for enjoyments in this unfound body, filled with bad odours, compofed of bones, fkin, tendons, membranes, mufcles, blood, faliva, tears, ordure and urine, bile and mucus?

2. What relifh can there be for enjoyment in this body; affailed by defire and wrath, by avarice and illufion, fear and forrow, envy and hate, by abfence from thofe whom we love, and by union with thofe whom we diflike, by hunger and thirft, by difeafe and emaciation, by growth and decline, by old age and death?

3. Surely we fee this univerfe tending to decay, even as thefe biting gnats and other infects; even as the grafs of the field, and the trees of the foreft, which fpring up and then perifh.

4. But what are they? Others, far greater, have been archers mighty in battle, and fome have been kings of the whole earth.

5. SUDHUMNA, BHURIDHUMNA, INDRADHUMNA, CUVALAYA'-SWA, YANVANA'SWA, AVADHYASWA, ASWAPATI, SASABINDU, HA-VISEHANDRA, BARISHSHA, NAHUSHA, SURYATI, YAYATI, VICRA-VA, ACSHAYASENA, PRIYAVRATA, and the reft.

6. MARUTTA likewife, and BHARATA, who enjoyed all corporeal delights, yet left their boundlefs profperity, and paffed from this world to the next.

7. But what are they? Others yet greater, *Gandawas*, *Afuras*, *Racfhafas*, companies of fpirits, *Pifachas*, *Uragas*, and *Gràhas*, have we feen been deftroyed.

8. But

8. But what are they? Others, greater ſtill, have been changed; vaſt rivers dried; mountains torn up; the pole itſelf moved from its place; the cords of the ſtars rent aſunder; the whole earth itſelf deluged with water; even the *ſuſes* or angels hurled from their ſtations.

9. In ſuch a world, then, what reliſh can there be for enjoyment? Thou alone art able to raiſe up.

I am in this world like a frog in a dry well: Thou only, O Lord, art my refuge: thou only art my refuge.

1. MAY that ſoul of mine, which mounts aloft in my waking hours, as an ethereal ſpark, and which, even in my ſlumber, has a like aſcent, ſoaring to a great diſtance, as an emanation from the light of lights, be united by devout meditation with the Spirit ſupremely bleſt, and ſupremely intelligent!

2. May that ſoul of mine, by an agent *ſimilar to* which the low-born perform their menial works, and the wiſe, deeply verſed in ſciences, duly ſolemnize their ſacrificial rite; *that* ſoul, which was itſelf the primeval oblation placed within all creatures, be united by devout meditation with the Spirit ſupremely bleſt, and ſupremely intelligent!

3. May that ſoul of mine, which is *a ray* of perfect wiſdom, pure intellect and permanent exiſtence, which is the unextinguiſhable light fixed within created bodies, without which no good act is performed, be united by devout meditation with the Spirit ſupremely bleſt, and ſupremely intelligent!

4. May that ſoul of mine, in which, as an immortal eſſence, may be compriſed whatever has paſt, is preſent, or will be hereafter; by which the ſacrifice, where ſeven miniſters officiate, is properly ſolemnized; be united by devout meditation with the Spirit ſupremely bleſt, and ſupremely intelligent!

5. May that ſoul of mine, into which are inſerted, like the ſpokes of a wheel in the axle of a car, the holy texts of the *Rigveda*, the *Sáman*, and the *Yajuſh*; into which is interwoven all that belongs to created forms, be united by devout meditation with the Spirit ſupremely bleſt, and ſupremely intelligent!

6. May

6. May that ſoul of mine, which, *diſtributed in other bodies*, guides mankind, as a ſkilful charioteer guides his rapid horſes with reins; that ſoul which is fixed in my breaſt, exempt from old age, and extremely ſwift in its courſe, be united, by divine meditation, with the Spirit ſupremely bleſt, and ſupremely intelligent!

*Veda*, and 1ſt Article of our Church.

"There is one living and true God, everlaſting, without body, parts, "or paſſion, of infinite power, wiſdom, and goodneſs; the maker and "preſerver of all things, both viſible. &c. &c."

I'SA'VA'SYAM;

# ÍSÁVÁSYAM;

OR,

## *AN UPANISHAD FROM THE YAJUR VEDA.*

1. BY one Supreme Ruler is this univerſe pervaded; even every world in the whole circle of nature. Enjoy pure delight, O man! by abandoning *all thoughts* of this periſhable world; and covet not the wealth of any creature exiſting.

2. He who, in this life, continually performs his religious duties, may deſire to live a hundred years; but even to the end of that period thou ſhouldſt have no other occupation here below.

3. To thoſe regions, where evil ſpirits dwell, and which utter darkneſs involves, will ſuch men ſurely go after death, as deſtroy *the purity* of their own ſouls.

4. There is one ſupreme Spirit, which nothing can ſhake, more ſwift than the thought of man. That primeval Mover, even divine intelligences cannot reach: that Spirit, though unmoved, infinitely tranſcends others, how rapid ſoever their courſe.

5. That ſupreme Spirit moves at pleaſure, but in itſelf is immoveable; it is diſtant from us, yet very near us; it pervades this whole ſyſtem of worlds, yet is infinitely beyond it.

6. That

6. The man who confiders all beings as exifting even in the fupreme fpirit, and the fupreme fpirit as pervading all beings, henceforth views no creature with contempt.

7. In him who knows that all fpiritual beings are the fame *in kind* with the fupreme fpirit, what *room can there be for* delufion of mind, or what room for forrow when he reflects on the identity of fpirit?

8. The pure enlightened foul affumes a luminous form with no grofs body, with no perforation, with no veins, or tendons, unblemifhed, untainted by fin, *itfelf being a ray from the infinite fpirit*, which knows the paft and the future, which pervades all, which exifted with no caufe but itfelf, which created all things as they are in ages very remote.

9. They who are ignorantly devoted to the mere ceremonies of religion are fallen into thick darknefs, but they furely have a thicker gloom around them who are folely attached to fpeculative fcience.

10. A diftinct reward, they fay, is referved for ceremonies, and a diftinct reward, they fay, for divine knowledge; adding, "This we have "heard from fages who declared it to us."

11. He alone is acquainted with the nature of ceremonies, and with that of fpeculative fcience, who is acquainted with both at once: by religious ceremonies he paffes the gulph of death, and by divine knowledge he attains immortality.

12. They who adore only the appearances and forms of the deity are fallen into thick darknefs, but they furely have a thicker gloom around them who are folely devoted to the abftract effence of the divine effence.

13. A diftinct reward, they fay, is obtained by adoring the forms and attributes,

attributes, and a diſtinct reward, they ſay, by adoring the abſtract eſſence; adding: " This we have heard from ſages who declare it to us."

14. He only knows the forms and the eſſence of the deity who adores both at once; by adoring the appearances of the deity, he paſſes the gulph of death, and by adoring his abſtract eſſence he attains immortality.

15. Unveil, O Thou who giveſt ſuſtenance to the world, that face of the true ſun, which is now hidden by a vaſe of golden light! ſo that we may ſee the truth, and know our whole duty!

16. O Thou who giveſt ſuſtenance to the world, thou ſole mover of all, thou who reſtraineſt ſinners, who pervadeſt yon great luminary, who appeareſt as the Son of the Creator; hide thy dazzling beams, and expand thy ſpiritual brightneſs, that I may view thy moſt auſpicious, moſt glorious, real form.

" OM, Remember me, divine ſpirit!"

" OM, Remember my deeds."

17. That all-pervading ſpirit, that ſpirit which gives light to the viſible ſun, even the ſame *in kind* am I, *though infinitely diſtant in degree*. Let my ſoul return to the immortal ſpirit of God, and then let my body, which ends in aſhes, return to duſt!

18. O ſpirit, who pervadeſt fire, lead us in a ſtraight path to the riches of beatitude! Thou, O God, poſſeſſeſt all the treaſures of knowledge: remove each foul taint from our ſouls; we continually approach thee with the higheſt praiſe, and the moſt fervid adoration.

## *FROM THE YAJURVEDA.*

1. AS a tree, the lord of the foreſt, even ſo, without fiction, is man: his hairs are as leaves; his ſkin, as exterior bark.

2. Through the ſkin flows blood; through the rind, ſap: from a wounded man, therefore, blood guſhes, as the vegetable fluid from a tree *that is* cut.

3. His muſcles are as interwoven fibres; the membrane round his bones as interior bark, which is cloſely fixed: his bones are as the hard pieces of wood within: their marrow is compoſed of pith.

4. Since the tree, when felled, ſprings again, ſtill freſher, from the root, from what root ſprings mortal man when felled by the hand of death?

5. Say not, he ſprings from ſeed: ſeed ſurely comes from the living. A tree, no doubt, riſes from ſeed, and after death has a viſible renewal.

6. But a tree which they have plucked up by the root, flouriſhes individually no more. From what root then ſprings mortal man when felled by the hand of death?

7. Say not he was born before; he is born: who can make him ſpring again to birth?

8. GOD, who is perfect wiſdom, perfect happineſs, He is the final refuge of the man, who has liberally beſtowed his wealth, who has been firm in virtue, who knows and adores that Great One.

*A HYMN*

## *A HYMN TO THE NIGHT.*

NIGHT approaches illumined with ſtars and planets, and looking on all ſides with numberleſs eyes, overpowers all meaner lights. The immortal goddeſs pervades the firmament covering the low valleys and ſhrubs and the lofty mountains and trees, but ſoon ſhe diſturbs the gloom with celeſtial effulgence. Advancing with brightneſs, at length ſhe recalls her ſiſter Morning; and the nightly ſhade gradually melts away.

May ſhe, at this time, be propitious! She, in whoſe early watch, we may calmly recline in our manſion, as birds repoſe on the tree.

Mankind now ſleep in their towns; now herds and flocks peacefully ſlumber, and winged creatures, even ſwift falcons and vultures.

O Night, avert from us the ſhe-wolf and the wolf; and oh! ſuffer us to paſs thee in ſoothing reſt!

O Morn, remove, in due time, this black, yet viſible, overwhelming darkneſs which at preſent infolds me, as thou enableſt me to remove the cloud of their debts.

Daughter of heaven, I approach thee with praiſe, as the cow approaches her milker; accept, O Night, not the hymn only, but the oblation of thy ſuppliant, who prays that his foes may be ſubdued.

*The*

*The following Fragment is a Tranſlation from a Sanſcrit Work, entitled,*

## THE IGNORANT INSTRUCTED.

1. RESTAIN, O ignorant man, thy deſire of wealth, and become a hater of it in body, underſtanding, and mind: let the riches thou poſſeſſeth be acquired by thy own good actions, with thoſe gratify thy ſoul.

2. The boy ſo long delights in his play, the youth ſo long purſues his beloved, the old ſo long brood over melancholy thoughts, that no man meditates on the ſupreme being.

3. Who is thy wife, and who thy ſon? How great and wonderful is this world: whoſe thou art, and whence thou comeſt? Meditate on this, my brother, and again on this.

4. Be not proud of wealth and attendants, and youth; ſince time deſtroys all of them in the twinkling of an eye: check thy attachment to all theſe illuſions, like *Maya*; fix thy heart on the foot of *Brahmà*, and thou wilt ſoon know him.

5. As a drop of water moves on the leaf of the lotus; thus, or more ſlippery, is human life: the company of the virtuous endures here

here but for a moment; that is the vehicle to bear thee over land and ocean.

6. To dwell in the manſion of Gods at the foot of a tree; to have the ground for a bed, and a hide for veſture; to renounce all ties of family or connections; who would not receive delight from this devout abhorrence of the world.

7. Set not thy affections on foe, or friend; on a ſon, or a relation; in war, or in peace; bear an equal mind towards all; if thou deſireſt it, thou wilt ſoon be like *Viſhnu*.

8. Day and night, evening and morn, winter and ſpring, depart and return! Time ſports, age paſſes on, deſire and the wind continue unreſtrained.

9. When the body is tottering, the head grey, and the mouth toothleſs; when the ſmooth ſtick trembles in the hand, which it ſupports, yet the veſſel of covetouſneſs remains unemptied.

10. So ſoon born, ſo ſoon dead! ſo long lying in thy mother's womb! ſo great crimes are committed in the world! How then, O man, canſt thou live here below with complacency?

11. There are eight original mountains, and ſeven ſeas—*Brahma*, *Indra*, *the Sun*, and *Kudra*.—Theſe are permanent, not thou, not I, not this, or that people: what, therefore, ſhould occaſion our ſorrow?

12. In thee, in me, in every other, *Viſhnu* reſides: in vain art thou angry with me, not bearing my approach: this is perfectly true, all muſt be eſteemed equal: be not, therefore, proud of a magnificent palace.

This

This is the inſtruction of learners, delivered in twelve meaſures: what more can be done with thoſe, whom this work doth fill with devotion?

Thus ends the book, named *Móhadmudgara*, or the Ignorant Inſtructed, (properly the Mallet of the Ignorant), compoſed by the holy, devout, and proſperous *Sancar Acharya*.

THE

THE

# SEASONS;

A

*DESCRIPTIVE POEM.*

BY CA'LIDA'S.

FROM THE ORIGINAL SANSCRIT.

## ADVERTISEMENT.

THIS book is the firſt ever printed in *Sanſcrit*; and it is by the preſs alone, that the ancient literature of *India* can long be preſerved: a learner of that moſt intereſting language who had carefully peruſed one of the popular grammars, could hardly begin his courſe of ſtudy with an eaſier or more elegant work, than the *Rĭtuſanhára*, or *Aſſemblage of Seaſons*. Every line compoſed by CA'LID'AS is exquiſitely poliſhed; and every couplet in the poem exhibits an *Indian* landſcape, always beautiful, ſometimes highly coloured, but never beyond nature: four copies of it have been diligently collated; and where they differed, the cleareſt and moſt natural reading has conſtantly had the preference.

W. J.

# LAILÍ MAJNÚN,

A

PERSIAN POEM

OF

## *HÁTIFÍ.*

THE

# PREFACE.

AMONG eleven or twelve *Perſian* poems on the ſtory of LAILI' and MAJNU'N, that of HA'TIFI' ſeems univerſally eſteemed the ſimpleſt and moſt pathetick. The tale itſelf is extremely ſimple; and the more affecting, becauſe it is true; for KAIS, who became *frantick* from diſappointed love, and thence had the ſurname of *Majnún*, was a moſt accompliſhed and amiable youth, the only ſon of an *Arabian* chieftain in the firſt age of the *Mohammedan* empire: fragments of his beautiful poetry are ſtill repeated with rapture by the *Arabs* of *Hejáz*; and the beſt works of the *Perſians* abound in alluſions to his unfortunate paſſion. LAILI', or LAILA, as her name is pronounced in *Arabia*, was the daughter of a neighbouring chief, and was alſo eminently accompliſhed; yet ſhe had no tranſcendent beauty, it ſeems, in any eyes but thoſe of her lover: SADI', who repreſents her with a ſwarthy complexion and of low ſtature, tells a long, but agreeable, ſtory on the ſame ſubject, which the *Maulavi* of *Rúm* has comprized in two couplets—"The *Khalífah* ſaid to LAILI', *art* "*thou the damſel, for whom the loſt* MAJNU'N *is become a wanderer in the* "*deſert? Thou ſurpaſſeſt not other girls in beauty.* She ſaid: *Be ſilent;* "*for thou art not* Majnún."

For the ſhort account of our Poet exhibited in the *Perſian* preface, we are obliged to the kindneſs of ALI' IBRA'HI'M KHA'N, one of the beſt bred, moſt learned, and moſt virtuous *Muſelmáns* in the *Britiſh* territories. ABDULLAH, ſurnamed HA'TIFI', who died in the year 1520 of our era, was a nephew, we find, of NU'RUDDI'N, uſually called JA'MI' from the village

village of *Jám* in *Khorásán*, with whom he lived on more amicable terms, than could naturally have been expected between rival poets; and, if he was inferiour to his uncle in learning or in art, he certainly surpassed him in genius. His principal ambition was to enter the lists with NIZA'MI', by composing five poems on the same or similar subjects with the *Khamsah* of that illustrious author; and how far he succeeded in his competition, every reader must decide for himself: my own opinion is, that he has not even approached the splendour and sublimity of his master's diction, but that he has excelled him in tenderness and simplicity; and, most probably, NIZA'MI' valued himself solely on his rich and elevated composition, whilst HA'TIFI' aimed only at sweetness and pathos, each attaining the summit of excellence in the style which he professed. The fate of the two poets has been very different; for, while the five poems of NIZA'MI' have a place in most *Asiatick* libraries and in general are beautifully copied, those of HA'TIFI' are extremely scarce and negligently transcribed: his *Haft Paicar*, or the *Seven Images*, is barely named by D'HERBELOT, who mentions also his *Zafar Námah*, an Heroick Poem on the actions of TAIMU'R, which was designed to emulate that of NIZA'MI' on the victories of ALEXANDER; but I have never been able to procure any of his works except his LAILI' MAJNU'N, the scarcity of which was my chief inducement for publishing it. The reader must not expect a complete edition of the poem, which I have neither materials nor leisure to exhibit, but merely an impression of my manuscript, which unhappily is far from being correct. A *Muselmán* of high rank, who first named the work to me, promised to send me in *Bengal* a well-collated copy of it; but he forgot his promise; and the imperfection of this edition must partly be ascribed to his forgetfulness; partly to my own haste, inadvertence, or ignorance. Since the book has been printed, I have read it four or five times with great attention; and, having procured two other manuscripts, when the last sheet was in the press, I perused them also with as much attention as they deserved, but with very trifling advantage: I then formed a table of corrections, while two learned natives were severally engaged

engaged in the ſame labour; but, finding their tables to differ conſiderably from each other, I have reduced them to a ſhort compaſs by omitting every doubtful emendation, and every grammatical errour, by which no *Perſian* ſcholar could be miſled. In many places the common orthographical marks are omitted (as they are, indeed, in the beſt manuſcripts), and in ſome places they are added, where the ſenſe or the metre neceſſarily requires their omiſſion: between ſome few words the copulative is erroneouſly inſerted, and between others it is inaccurately omitted, having probably dropped out in the preſs-work: laſtly, ſome couplets are evidently tranſpoſed, eſpecially in the dialogue between MAJNU'N and LAILI''s mother, where I ſuſpected on the firſt peruſal of it, that near thirty diſtichs were out of their place; but I had not the courage to depart from the authority of my manuſcript in a moſt pathetick epiſode, where it might have been the poet's deſign to break the uſual connexion of ideas in minds diſtracted with anguiſh; as the great *Italian* compoſers often violate every rule of harmony in expreſſing tumultuous paſſions. On the whole, the book is by no means perfect; but, ſince it is far more correct than any *Perſian* or *Arabick* book of the ſame length, that I ever peruſed, I am fully convinced that it will afford the reader as much delight, as I have myſelf received, and ſhall continue to receive, from it.

The beſt guide in amending all poetical works is an accurate knowledge of the meaſures, in which they are compoſed; yet a want of that knowledge in editors of *Greek* and *Arábian* poems, has been the occaſion of ſo many miſtakes, that a collection of them would fill a volume: in *Perſian* few poems have been printed; but, if GENTIUS had *only* been able to diſtinguiſh proſe from verſe, as it is manifeſt that he was not able, he would have done more juſtice to the beautiful *Guliſtán*, which he had the merit of ſelecting for publication. The meaſure of the poem before us, which has enabled me to correct a number of lines in it, is exactly in this form:

*Lex ómnibus imperáre debét*,

with

with a ſtrong accent on the *ſecond*, *ſeventh*, and *tenth* ſyllables; and it is very remarkable, that almoſt every couplet in that meaſure may be tranſpoſed, by an eaſy change of the accent, into common *Engliſh* verſe: thus HA'TIFI' ſays,

*ān t'orfah ſahí kadí gulendám*
*az kais robúd s'abru ārám,*
*búdí birokhi nicúyi ù ſhád,*
*vaz khwáb u khoreſh nayámadì yád,*
*îſhk āmad u der du sínah já card,*
*khodrá bidu yár āſhná card,*
*báz āmadì u bihem niſhaſtí,*
*vaz goſt u ſhenìd leb nabaſtí,*
*íſhán ghemi dil bicas nagoſtend,*
*rázi del az ìn u àn nahoſtend.*

Theſe five diſtichs may be thus tranſlated in the meaſure of the original:

With cheéks, where eternal páradiſe bloóm'd,
Sweet *Laíli* the ſoul of *Kaís* had conſúm'd;
Tranſpórted her heav'nly gráces he viéw'd,
Of ſlúmber no more he thoúght, nor of foód:
Love raís'd in their glowing bóſoms his thróne,
Adópting the choſen paír as his ówn,
Togéther on flow'ry ſeáts they repós'd;
Their líps not one idle móment were clós'd:
To mórtals they gave no hínt of their ſmárt;
Love ónly the ſecret dréw from each heárt.

And a bare tranſpoſition of the accents gives us five *Engliſh* couplets in the form, which ſome call heroick, and others, elegiack:

With

With cheeks, where paradiſe eternal bloom'd,
Sweet *Laíli* had the ſoul of *Kaís* conſum'd;
Her heav'nly graces he tranſported view'd;
No more he thought of ſlumber or of food.
Love in their glowing boſoms rais'd his throne,
The choſen pair adopting as his own.
On flow'ry ſeats together they repos'd;
Their lips one idle moment were not clos'd;
No hint they gave to mortals of their ſmart;
Love only drew the ſecret from each heart.

Nevertheleſs, if the whole poem ſhould ever be tranſlated into *Engliſh* (by me it certainly never will), I would recommend a verſion in modulated, but unaffected, proſe in preference to rhymed couplets; and, though not a ſingle image or thought ſhould be added by the tranſlator, yet it would be allowable to omit ſeveral conceits, which would appear unbecoming in an *European* dreſs; for the poem, with all its beauties, has conceits in it, like the black ſpots on ſome very beautiful flowers; but they are neither ſo numerous nor ſo unpleaſing, as thoſe in the poem of VENUS and ADONIS, and we cannot with juſtice ſhow leſs indulgence to a poet of *Irán*, than we all ſhow to our immortal countryman, SHAKSPEARE.

I wiſh I could conceal the principal object of this publication, without impeding or delaying the object itſelf; but, ſince I am conſcious, that what I am going to add has the appearance only of oſtentation, and that my purpoſe cannot be anſwered, unleſs it be ſpeedily and generally known, I think it neceſſary to declare, that the property of the whole impreſſion belongs from this moment to the attorney for the poor in the Supreme Court, in truſt for the miſerable perſons under execution for debt in the priſon of *Calcutta:* ſhould all the copies be ſold, there will be near twelve thouſand Sicca Rupees in the hands of the truſtee, who will immediately

mediately apply them, without any diſtinction of religion or country, to the effectual relief, as far as they will extend, of ſuch priſoners as have been longeſt confined, and are not relievable by the rules of the Court. This aſſiſtance, I fear, will ſet at liberty but few of the unhappy men, who now ſuffer the worſt of human misfortunes; but it is poſſible, that the liberality of the publick may, in ſome mode or another, extend itſelf to thoſe who remain in priſon; for, even if the legiſlature ſhould ultimately relieve them, yet multitudes of them will periſh, and all muſt wiſh to periſh, before any relief can arrive from *Europe*.

The incorrectneſs of modern *Arabian* and *Perſian* books is truly deplorable: nothing can preſerve them in any degree of accuracy but the art of printing; and, if *Aſiatick* literature ſhould ever be general, it muſt diffuſe itſelf, as *Greek* learning was diffuſed in *Italy* after the taking of *Conſtantinople*, by mere impreſſions of the beſt manuſcripts without verſions or comments, which future ſcholars would add at their leiſure to future editions; but no printer could engage in ſo expenſive a buſineſs, without the patronage and the purſe of monarchs or ſtates or ſocieties of wealthy individuals, or at leaſt without a large publick ſubſcription: there are printers in *Bengal*, who, if they were duly encouraged, would give us editions of HA'FIZ and SADI, or, perhaps, of NIZA'MI' and FIRDAUSI'; and there are indigent natives of eminent learning, who would gladly correct the preſs for a ſmall monthly ſalary. I ſhall ever be ready to promote ſuch undertakings as a ſubſcriber, but ſhall never more appear as an editor or a tranſlator of any *Perſian* book whatever.

W. JONES.

A CATA-

# A CATALOGUE OF SANSCRIT, AND OTHER ORIENTAL MANUSCRIPTS, PRESENTED TO THE ROYAL SOCIETY BY SIR WILLIAM AND LADY JONES.

The following letter will ſhew the motives which induced the Editor to complete Sir William Jones's gift, by preſenting the remainder of his valuable collection of Eaſtern Manuſcripts to the Royal Society, in the hopes of their becoming a general accommodation to the learned.

*Gardens, near Calcutta, Jan.* 29, 1792.

My dear Sir JOSEPH,

I annex a bill of lading, which will explain itſelf. Should I live to have the pleaſure of ſeeing you again, you will have the goodneſs to let me take the manuſcripts, with the care of which I now trouble you; ſhould I die, you will depoſit them in the Royal Society, ſo that they may be lent out, without difficulty, to any ſtudious men who may apply for them. I am ſo buſy at this ſeaſon, that I can only bid you farewel, from,

Dear Sir JOSEPH,

Your ever-faithful,

And obedient ſervant,

W. JONES.

*Sir Joſeph Banks, Bart.*

A CATALOGUE, &c. *taken by* C. WILKINS, Efq. F.R.S. *part of which (as far as No. 56) was read before the* ROYAL SOCIETY, *June* 28, 1798.

All the notes at the bottom of the page, are copied from the Manufcript of Sir William Jones, in each of the books referred to.

## 1. *a.* MAHA'-BHA'RATA.

A poem in eighteen books, exclufive of the part called *Raghuvanfa*; the whole attributed to *Crifhna Dwaipáyana Vyáfa*; with copious notes by *Nila-canta*. This ftupendous work, when perfect, contains upwards of one hundred thoufand metrical verfes. The main fubject is the hiftory of the race of *Bhárata*, one of the ancient kings of India, from whom that country is faid to have derived the name of *Bhárata-varfha*; and more particularly that of two of its collateral branches, diftinguifhed by the patronymics, the *Curavas* and the *Puravas* (fo denominated from two of their anceftors, *Curu* and *Puru)*, and of their bloody contentions for the fovereignty of *Bhárata-varfha*, the only general name by which the aborigines know the country we call *India*, and the Arabs and Perfians *Hind* and *Hindoftan*. But, befides the main ftory, a great variety of other fubjects is treated of, by way of introduction and epifode. The part entitled *Raghu-vanfa*, contains a diftinct hiftory of the race of *Crifhna*. The *Mahá-bhárata* is fo very popular throughout the Eaft, that it has been tranflated into moft of its numerous dialects; and there is an abridgment of it in the Perfian language, feveral copies of which are to be found in our publick libraries. The *Gitá*, which has appeared in an Englifh drefs, forms part of this work; but, as it contains doctrines thought too fublime for the vulgar, it is often left out of the text, as happens to be the cafe in this copy. Its place is in the 6th book, called *Bhifhma-parva*. This copy is written in the character which, by way of pre-eminence, is called *Déva-nágari*. Ly J.

1. *Maha-Bharati*. The great ftory from Bharati fpeech.

1. *b.*

1. *b. Ditto.*

Another copy, without notes, written in the character peculiar to the province of *Bengal*, in which the *Brahmans* of that country are wont to transfcribe all their *Sanfcrit* books. Moft of the alphabets of India, though they differ very much in the fhape of their letters, agree in their number and powers, and are capable of expreffing the *Sanfcrit*, as well as their own particular language. This copy contains the *Gitá*, in its proper place. Ly J.

2. *a. Rámáyana.*

The adventures of *Ráma*, a poem in feven books, with notes, in the *Dévanágari* character. There are feveral works with the fame title, but this, written by *Válmic*, is the moft efteemed. The fubject of all the *Rámáyan's* is the fame: the popular ftory of *Ráma*, furnamed *Dáfarathi*, fuppofed to be an incarnation of the god *Vifhnu*, and his wonderful exploits, to recover his beloved *Sitá* out of the hands of *Rávana*, the gigantick tyrant of *Lancá*. Ly J.

2. *b. Ditto.*

Another copy, in the *Bengal* character, without notes, by *Válmic*. Ly J.

2. *c. Ditto.*

A very fine copy, in the *Dévanágari* character, without notes; but unfortunately not finifhed, the writer having been reduced to a ftate of infanity, by habitual intoxication. Sir W. J.

3. *a. Sri Bhágavat.*

A poem in twelve books, attributed to *Crifhna Dwaipáyana Vyáfa*, the reputed author of the *Mahá-bhárat*, and many other works; with notes by *Sridhará Swámi*. *Dévanágari* character. It is to be found in moft of the vulgar dialects of India, and in the Perfian language. It has alfo appeared, in a very imperfect and abridged form, in French, under the title of *Bagavadam*, tranflated from the *Támul* verfion. The chief fubject of the *Bhagavat* is the life of *Crifhna*; but, being one of that fpecies of compofition which is called *Purána*, it neceffarily comprifes five fubjects,

ſubjects, including that, which may be conſidered the chief. The Bráhmans in their book, define a *Purána* to be "*a poem treating of five ſubjects: primary creation, or creation of matter in the abſtract; ſecondary creation, or the production of the ſubordinate beings, both ſpiritual and material; chronological account of their grand periods of time, called Manwantaras; genealogical riſe of families, particularly of thoſe who have reigned in India; and, laſtly, a hiſtory of the lives of particular families.*" Ly J.

3. *b. Ditto.*

Another copy, in the *Bengal* character, without notes. Ly J.

3. *c. Ditto.*

Another copy, on palm leaves, in the *Bengal* character. Sir W. J.

4. *Agni Purána.*

This work, feigned to have been delivered by *Agni*, the god of fire, contains a variety of ſubjects, and ſeems to have been intended as an epitome of Hindu learning. The poem opens with a ſhort account of the ſeveral incarnations of *Viſhnu*; particularly in the perſons of *Ráma*, whoſe exploits are the theme of the *Rámáyan*, and of *Criſhna*, the material offspring of *Vaſudéva*. Then follow a hiſtory of the creation; a tedious diſſertation on the worſhip of the gods, with a deſcription of their images, and directions for conſtructing and ſetting them up; a conciſe deſcription of the earth, and of thoſe places which are eſteemed holy, with the forms of worſhip to be obſerved at them; a treatiſe on aſtronomy, or rather aſtrology; a variety of incantations, charms, and ſpells, for every occaſion; computation of the periods called *Manwantaras*; a deſcription of the ſeveral religious modes of life, called *A'ſrama*, and the duties to be performed in each of them reſpectively; rules for doing penance; feaſts and faſts to be obſerved throughout the year; rules for beſtowing charity; a diſſertation on the great advantages to be derived from the myſtic word OM! with an hymn to *Vaſiſhta*. The next ſubject relates to the office and duties of princes; under which head are given rules for knowing the qualities of men and women; for chooſing arms and enſigns

ſigns of royalty; for the choice of precious ſtones; which are followed by a treatiſe on the art of war, the greateſt part of which is wanting in this copy. The next head treats of worldly tranſactions between man and man, in buying and ſelling, borrowing and lending, giving and receiving, *&c. &c.* and the laws reſpecting them. Then follow certain ordinances, according to the *Véda*, reſpecting means of ſecurity from miſfortunes, *&c.* and for the worſhip of the gods. Liſts of the two races of kings, called the *Suryavanſa*, and the *Chandravanſa*; of the family of *Yadu*, and of *Criſhna*; with a ſhort hiſtory of the twelve-years' war, deſcribed in the *Mahá-bhárat*. A treatiſe on the art of healing, as applicable to man and beaſt, with rules for the management of elephants, horſes, and cows; charms and ſpells for curing various diſorders; and the mode of worſhipping certain divinities. On the letters of the *Sanſcrit* alphabet; on the ornaments of ſpeech, as applicable to proſe, verſe, and the drama; on the myſtick ſignification of the ſingle letters of the *Sanſcrit* alphabet; a grammar of the *Sanſcrit* language, and a ſhort vocabulary. The work is divided into 353 ſhort chapters, and is written in the *Bengal* character. Ly J.

5. *Cálica Purána.*

A mythological hiſtory of the goddeſs *Cálí*, in verſe, and her adventures under various names and characters; a very curious and entertaining work, including, by way of epiſode, ſeveral beautiful allegories, particularly one founded upon the motions of the moon. There ſeems to be ſomething wanting at the end. *Bengal* character, without notes.

Ly J.

6. *a. Váyu Purána.*

This work, attributed to *Váyu* the god of wind, contains, among a variety of other curious ſubjects, a very circumſtantial detail of the creation of all things celeſtial and terreſtrial, with the genealogy of the firſt inhabitants; a chronological account of the grand periods called *Manwantaras, Calpas*, &c.; a deſcription of the earth, as divided into *Dwipas*, *Varſhas*, &c., with its dimenſions in *Yojanas*; and alſo of the other planets,

planets, and fixed ſtars, and their relative diſtances, circumferences of orbits, *&c. &c.* Written in the *Dévanágari* character. Ly J.

6. *b. Ditto.*

A duplicate in the *Dévanágari* character. Ly J.

7. *Vrihan Náradiya Purána.*

This poem, feigned to have been delivered to *Sanatcumára*, by the inſpired *Nárada*, like others of the *Puránas*, opens with chaos and creation; but it treats principally of the unity of God, under the title of *Mahá Viſhnu*; arguing, that all other gods are but emblems of his works, and the goddeſſes, of his powers; and that the worſhipping of either of the triad, creator, preſerver, or deſtroyer, is, in effect, the worſhipping of him. The book concludes with rules for the ſeveral tribes, in their ſpiritual and temporal conduct through life. It is a new copy, in the *Bengal* character, and, for a new copy, remarkably correct. Ly J.

8. *Náradiya Purána.*

This poem treats principally on the worſhip of *Viſhnu*, as practiſed by *Rukmángada*, one of their ancient kings. *Dévanágari* character.

Sir W. J.

9. *a. Bhaviſhyóttara Purána.*

The ſecond and only remaining part. The ſubject is confined to religious ceremonies. *Dévanágari* character. Sir W. J.

9. *b. Ditto.*

With an Index. *Dévanágari* character. Ly J.

10. *Gita-góvinda.*

A beautiful and very popular poem, by *Jayadéva*, upon *Criſhna*, and his youthful adventures. *Bengal* character. Ly J.

11. *a. Cumára Sambhava.*

An epick poem on the birth of *Cártica*, with notes, by *Calidáſa*. *Dévanágari* character. The notes are ſeparate. Ly J.

11. *b. Ditto.*

A duplicate of the text only, in the *Bengal* character. Ly J.

11. Read ſix times.

12. *Naiſhadha.*

12. *Naiſhadha.*

The adventures of *Nala*; a poem, with notes. *Bengal* character. Ly J.

13. *Bhatti.*

A popular heroick poem, in the *Bengal* character. Ly J.

14. *Raghu-vanſa.*

The race of *Criſhna*, a poem by *Calidas*, with notes. *Dévanágari* character. Ly J.

15. *Vrihatcathá.*

Indian Tales in verſe, by *Somadéva. Dévanágari* character. Ly J.

16. *Singhásána.*

The throne of *Ràjà Vicramáditya*; a ſeries of inſtructive tales, ſuppoſed to have been related by thirty-two images which ornamented it. *Dévanágari* character. It has been tranſlated into Perſian. Ly J.

17. *Cat'há Saritſágara.*

A collection of tales by *Somadéva. Dévanágari* character. Two books in Ruſſia. Ly J.

18. *Suca Saptati.*

The ſeventy tales of a parrot. *Dévanágari* character. Sir W. J. The Perſians ſeem to have borrowed their *Tuti-náma* from this work.

19. *Raſamanjari.*

The analyſis of love, a poem, by *Bhánudatta Miſra. Dévanágari* character. Ly J.

20. *Sántiſataca.*

A poem, in the *Bengal* character. Ly J.

21. *Arjuna Gitá.*

A dialogue, ſomething in the manner of the *Bhagavat Gitá. Dévanágari* character. Ly J.

15. This poet reſembles Arioſto, but even ſurpaſſes him in eloquence.—" We do homage to the poets who compoſed the *Rámáyan*, the *Mahábárat*, and the *Vrıhatcathá*—*Válmic*, *Vyáſa* and *Somadeva*; by whom delightful eloquence blazes forth, divided like the river with three ſtreams. *Goverdhana Achárya.*

19. I have read this delightful book four times at leaſt.

22. *Hitópadéſa*

22. *Hitópadésa.*

Part of the fables tranſlated by C. W. Written in the *Bengal* character. Ly J.

23. *Brahmá Nirupana.*

On the nature of *Brahmá*. *Dévanágari* character. Imperfect. Ly J.

24. *Méghaduta.*

A poem. *Bengal* character. Ly J.

25. *Tantra Sára.*

On religious ceremonies, by *Criſhnánanda Battáchárya*. *Bengal* character. Sir W. J.

26. *Sahaſra Náma.*

The thouſand names of *Viſhnu*. *Dévanágari* character. Sir W. J.

27. *Cirátárjuniya.*

A poem, in the *Bengal* character. Ly J.

28. *Siddhánta Sirómani.*

A treatiſe on geography and aſtronomy, by *Bháſcaráchárya*. *Dévanágari* character. Sir W. J.

29. *Sangita Náráyana.*

A treatiſe on muſick and dancing. *Dévanágari* character. Sir W. J.

30. *Vrihadaranyaca.*

Part of the *Yajur Véda*, with a gloſs, by *Sancara*. *Dévanágari* character. Ly J.

31. *Niructi*, or *Nairucta.*

A gloſs on the *Véda*. *Dévanágari* character. Ly J.

32. *Aitaréya.*

A diſcourſe on part of the *Véda*. *Dévanágari* character. Ly J.

33. *Chandaſi.*

From the *Sáma Véda*. *Dévanágari* character. Ly J.

34. *Mágha Tica.*

A comment on ſome other work. *Dévanágari* character. Ly J.

35. *Rájaballabha.*

*De materia Indorum medicâ*; by *Náráyanadása*. *Bengal* character.

Ly J.

36. *Hatha Pradípaca.*

Instructions for the performance of the religious discipline called *Yóga*; by *Swátmaráma*. *Bengal* character. Ly J.

37. *a. Mánava Dharma Sástra.*

The institutes of *Menu*, translated into English by Sir W. J. under the title of "*Institutes of Hindu Law, or the Ordinances of Menu.*" *Dévanágari* character. Ly J.

37. *b. Ditto.*

Duplicate in the *Dévanágari* character. Ly J.

38. *Mugdha-bódha-ticá.*

A commentary on the *Mugdha-bódha*, which is a *Sanscrit* grammar, peculiar to the province of Bengal, by *Durgá Dása*. *Bengal* character. Four vols. Ly J.

39. *Sáraswati-Vyácarana.*

The *Sanscrit* grammar called *Sáraswati*. (That part only which treats of the verb.) *Dévanágari* character. Ly J.

40. *Sárávali.*

A grammar of the *Sanscrit* language. Incomplete. *Bengal* character.

Sir W. J.

41. *Siddhánta Caumudi.*

A grammar of the *Sanscrit* language, by *Pánini*, *Cátáyana*, and *Pátanjali*; with a duplicate of the first part, as far as compounds. *Dévanágari* character. Ly J.

42. *a. Amara Cósa.*

41. *The Great Siddhanta Caumudi*—Part I. Collected by *Bhattaje Dushita*, from the grammatick explanations of Chatyana.

I finished the attentive reading of this grammar by Panani, Chatyana, and Patanjali, 18 Aug. 1792.

42. A grammatical comment on the botanical chapter of Amarcosha.

Finished reading, September 18, 1792, Crishna-nagar.

A vo-

A vocabulary of the *Sanſcrit* language, with a grammatical comment. Not perfect. *Dévanágari* character. Ly J.

42. *b. Ditto.*

The botanical chapter only, with a comment. *Dévanágari* character. Ly J.

42. *c. Ditto.*

The whole complete. *Bengal* character. Sir W. J.

43. *Mèdini Cóſa.*

A dictionary of the *Sanſcrit* language. *Dévanágari* character. Ly J.

44. *Viſwapracáſa Cóſa.*

A dictionary of the *Sanſcrit* language; by *Mahéſwara. Dévanágari* character. Ly J.

45. *Sabda Sandarbha Sindu.*

A dictionary of the *Sanſcrit* language; by *Cáſináth Sarman.* It appears from the introduction, that it was compiled expreſsly for the uſe of Sir W. J. The learned author is, at preſent, head profeſſor in the newly-eſtabliſhed college at *Varanáſí.* *Dévanágari* character. Two vols. folio. Ly J.

46. *Veniſanhára.*

A drama, *Sanſcrit* and *Prácrit,* in the *Bengal* character. Ly J.

47. *Mahá Nátaca.*

A drama, *Sanſcrit* and *Prácrit,* in the *Bengal* character. Ly J.

48. *Sacontalá.*

A drama, *Sanſcrit* and *Prácrit,* in the *Bengal* character. This is the beautiful play which was tranſlated into Engliſh by Sir W. J. but not the copy he uſed for that purpoſe. Ly J.

49. *Málati* and *Mádhava.*

A drama, *Sanſcrit* and *Prácrit,* in the *Bengal* character. Ly J.

50. *Háſyárnava.*

50. The Sea of Laughter *(Haſyarnava).* A farce by Jagadiſwara.
It is a bitter ſatire on kings, and their ſervants, who are deſcribed as profligate ſcoundrels; and on prieſts, who are repreſented as vicious hypocrites.

A farce,

A farce, *Sanſcrit* and *Prácrit*, in the *Bengal* character. Ly J.

51. *Cautuca Sarvaſwam.*

A farce, *Sanſcrit* and *Prácrit*, in the *Bengal* character. Ly J.

52. *Chandrábhiſhéca.*

A drama, *Sanſcrit* and *Prácrit*. *Bengal* character. Ly J.

53. *Ratnávali.*

A drama, *Sanſcrit* and *Prácrit*. *Bengal* character. Ly J.

54. *Vicramórvaſi.*

A drama, *Sanſcrit* and *Prácrit*. *Bengal* character. Ly J.

55. *Manavicágnimitra.*

A drama, *Sanſcrit* and *Prácrit*. *Bengal* character. Ly J.

56. A catalogue of *Sanſcrit* books, on various ſubjects. *Dévanágari* character. Ly J.

57. *Gita* and *Dharmánuſáſana.*

Two extracts from the *Máhabhárat*, with beautiful drawings, written in the *Dévanágari* character. Sir W. J.

58. *Raghuvanſa.*

The Children of the Sun, a poem by *Cálidás*, in *Bengal* character. Sir W. J.

59. *Prabódha Chandródaya.*

The Riſing Moon of Knowledge, a drama by *Céſava Miſra*. *Bengal* character. Sir W. J.

## CHINESE.

60. *Con Fu Tſu*. The works of *Confucius*, Vol. II. III. IV. V. VI. Sir W. J.

61. *Tahia Su Shuw*. A commentary. Sir W. J.

62. *Shun Lon Su Shuw*. A commentary. Sir W. J.

63. *Hor Lon Su Shuw*. A commentary. Sir W. J.

64. *Shung Morng Su Shuw*. A commentary. Sir W. J.

51. Cautuca Servaſwam; a Farce. King, *Cativatrali*; five Councellors, *Siſhtantaca*, *Dhermanala*, *Anritaſerra*, *Panditapira*, *Abhavyaſec hava*.

65. *Hor*

65. *Hor Morng Su Shuw.* A commentary. Sir W. J.

66. *Shi Kin.* A book of Chineſe odes. Ly J.

67. *Lon Yu.* A grammar of the Chineſe language. Ly J.

68. *A dictionary.* Chineſe and Latin. Ly J.

## PERSIAN.

69. *Zafar Námeh.* A moſt elegant hiſtory of *Taimur*, written in the *Niſkh* character. Ly J.

70. *Towárikh i Gujarát.* A Hiſtory of the Province of *Guzerat.* Ly J.

71. *Tárikh i Bahádershábi.* A Hiſtory of the Emperor *Bahádar Sháh.* Ly J.

72. *Tárikh i Jehâncuſhá.* The Hiſtory of *Nadir Sháh*, by *Mirza Mahádi Khan.* Ly J.

73. *Narrative* of the Proceedings of *Scindia*, and the Confederates. Ly J.

74. *Jehángir Nameh.* The Hiſtory of *Jehángir Sháh.* Ly J.

75. *Mujmel ut Tarikh i Nádiri.* An Abridgment of the Hiſtory of *Nádir Sháh.* Ly J.

76. *Hiſtory of Hindoſtan*, by *Gholam Huſſain.* Sir W. J.

77. *Behar i Daniſh.* The Tales of *Ináyetulla.* Ly J.

78. *Boſtán i Khyál.* The Garden of Imagination, an hiſtorical romance, in eight vols. Ly J.

79. *Jámay ul Hecáyet.* A collection of tales. Written in the *Niſkh* character. Sir W. J.

80. *a. Sháh Námeh.* The heroick poem of *Ferdoſi.* Ly J.

80. *b. Ditto.* In four volumes. Sir W. J.

68. The letters A and B muſt be procured from China. If the letters A and B can be ſupplied, the work will be ineſtimable. Mr. Jitſingh ſays, no Chineſe words begin with A or B.

80. *a.* I finiſhed the reading of this book a ſecond time, November 3, 1787, Calcutta. W. J.

81. *a.*

81. *a*. *Masnavi.* A poem, by *Jalal ud Din*, surnamed *Rumi*. Ly J.
81. *b*. *Ditto.* Six volumes. Sir W. J.
81. *c*. *Ditto.* First book only. Ly J.
81. *d*. *Ditto.* A commentary on the first book. Ly J.
81. *e*. *Ditto.* A commentary on the first book. Ly J.
81. *f*. *Ditto.* A table of contents of the first book. Ly J.
82. *a*. *Culyát i Jámi.* The works of the poet *Jámi*. Sir W. J.
82. *b*. *Ditto.* The miscellaneous poems of *Jámi*. Ly J.
83. *Yusuf wa Zuleyca.* A poem by *Jámi*. Ly J.
84. *a*. *Culyát i Nizámi.* The works of the poet *Nizámi*. Sir W. J.
84. *b*. *Ditto.* The five poems of *Nizámi*. Ly J.
85. *Culyát i Anwári.* The works of the poet *Anwári*. Sir W. J.
86. *Dewán i Khosru.* The odes of *Khosru*. Sir W. J.
87. *Dewán i Saib.* The odes of *Saib*. Sir W. J.
88. *Dewán i Arfi.* The odes of *Arfi*. Sir W. J.
89. *Dewán i Cásim.* The odes of *Cásim*. Ly J.
90. *Dewán i Jámi.* The odes of *Jámi*.
91. *Asrár*; or, *Ishak Námeh*. Secrets; or, the History of Love, a Poem. Ly J.
92. *Miscellaneous Poems.* Chiefly by *Arfi*.
93. *Mujma uz Záya.* On the Art of Poetry. Ly J.
94. *Mekhzen i Asrár.* The Treasury of Secrets, a poem by *Nizámi*. Ly J.
95. *Dewán i Cátibi.* A book of odes. Ly J.

81. *a*. By Mahommed. Jel'alu'ddin of *Bulkh*; called *Rumi*, because he settled in the lower Asia. W. J. So extraordinary a book as the Mesnavi was never, perhaps, composed by man. It abounds with beauties, and blemishes, equally great; with gross obscenity, and pure ethicks; with exquisite strains of poetry, and flat puerilities; with wit, and pleasantry, mixed with dull jests; with ridicule on all established religions, and a vein of sublime piety: it is like a wild country in a fine climate overspread with rich flowers, and with the odour of beasts. I know of no writer, to whom the Maulavi can justly be compared, except *Chaucer* or *Shakspeare*. W. J.

83. Master-piece of Jami.

96. *A*

96. *A Poem*, by *Jámi.* (Imperfect.) Ly J.

97. *Miſcellaneous*, proſe and verſe. By *Arfi*, and others. Sir. W. J.

98. *Sharah i Khájah Háfiz.* A commentary on the odes of *Háfiz.* Ly J.

99. *Silſilat uz Zahib.* The Chain of Gold, a Poem by *Jámi.* Ly J.

100. *Pand Námah.* Moral ſentences, in verſe, by *Faríd ud Dín Attar.* Ly J.

101. *Baharám and Gulandám.* A love tale, by *Cátabi.* Ly J.

102. *Farhang i Jehángiri.* A dictionary of the Perſian language, by *Jamál ud Din Huſain Anju.* Complete. Ly J.

103. *The Grammatical Introduction to the Farhang i Jehángiri.* Ly J.

104. *Fowáyed i Ghaniya.* A ſhort treatiſe on *Perſian* and *Hindu* grammar. Ly J.

105. *A dictionary* of the Perſian language. (No title). Ly J.

106 *Tohfit ul Hind.* A miſcellaneous treatiſe on the literature, &c. of the Hindus. Enriched with marginal notes by Sir W. J.

107. *a. Sri Bhágavat.* A tranſlation of No. 3. Ly J.

107. *b. Ditto.* With drawings. Ly J.

108. *Ramáyana.* A tranſlation of No. 2. Ly J.

109. *Anwári Soheili.* A Perſian verſion of the *Hitópadéſa*, by *Huſain Vaiz*, ſurnamed *Caſhifi.*

110. *Arjuna Gitá.* Tranſlation of the *Gitá.* Ly J.

111. *Siva Purána.* Tranſlation from the *Sanſcrit.* Ly J.

102. Many corrections of this valuable work, and many additions to it, ma be found in the *Siraju'lloghah*, by *Sirajaid'din arzu*; and in the *Mujman'lloghah.*

106. By *Mirza Khan.*

The book conſiſts of an introduction, ſeven chapters, and a concluſion; the ſubject of which are: *The Hindu alphabet, proſody, rhyme, rhetorick, love, muſick, women, phyſiognomy,* and *a Hindu vocabulary.*

109. Anwari Soheili; by Huſain Vaiz, ſurnamed Cuſhifi. Nizami, Firdauſi, Maulavi, Hafiz, Khakani, *Sádi*, Saib, Anwari Sohaili, Zafar Namah, Anwari, Khoſrau, Jámi.

All but Khakani are in my poſſeſſion.

112. *Rága*

112. *Rága Darpana.* A treatife on *Hindu* mufick. Tranflated from the *Sanfcrit.* Ly J.

113. *Párijátaka.* A treatife on *Hindu* mufick. Tranflated from the *Sanfcrit*, by *Rofhin Zamir*, in the reign of *Aurungzeb.* Ly J.

114. *Hazár Dharpad.* A treatife on vocal mufick according to the *Hindus.* Ly J.

115. *Shams ul áfwát.* The Sun of Sounds. A treatife on Hindu mufick. Ly J.

116. *Cefayet ut Talim.* A treatife on aftronomy, by *Mahommed*, fon of *Mafawad Mahommed.* Ly J.

117. *Lowaih ul Kamar.* A treatife on aftronomy. Ly J.

118. *Refalah Sharifah.* A treatife on aftronomy. Ly J.

119. A treatife on aftronomy, with tables, in the *Nifkh* character. Ly J.

120. *Sharah i Zíj i Merza Ulagh Bég.* A commentary on the tables of *Ulagh Bég.* Ly J.

121. *Sharah i Elm i Hayát.* A commentary on the fcience of aftronomy. Ly J.

122. Mifcellaneous loofe fheets on aftronomy. Ly J.

123. *Tála Námeh & Sharah Tála.* Two treatifes on fortune-telling. Ly J.

124. Five tracts on geometry. Ly J.

125. *Ferávez i Mahommedi.*

126. *Sharah i Burdah.* A commentary on the poems called *Burdah.* Ly J.

127. *Mirát ul Mifáyeb i Mahommed Sháhí.* Expofitions of matters of faith and jurifprudence, compiled for the ufe of *Mahommed Sháh.* Ly J.

128. *Mirát ul Hakáyak.* Ly J.

129. *Sharifíyah.* A comment on the *Sirájíyah* of *Alfáyad*, tranflated from the Arabick, by *Mahommed Káfim.* Ly J.

129. Read four times with great attention, February 29, 1793. W. J.

130. *Forms*

130. *Forms of oaths held binding by the Hindus*, by *Ali Ibraham Khán*, chief magiſtrate at *Benaris*. Ly J.

131. *Jáma Abáſi* on Mahommedan duties. Ly J.

132. *Tohfit ul Momenain*. A dictionary of natural hiſtory. Ly J.

133. *Tarjama i Feráyez i Sirajiyah bá Fowáyed i Sharifiyah*. A tranſlation of two works in Arabick on Mahommedan duties. Ly J.

134. *Reſálah i Mofazzel*. A tranſlation from an Arabick treatiſe by *Mahommed Báker*.

135. *Kitáb ul Biyua*. A law tract tranſlated from the Arabick. Ly J.

136. *Miſcellaneous Fragments*.

## ARABICK.

137. *a*. *Al Kudúri*. Inſtitutes of Mahommedan law, by *Abul Haſan A'hmed*, of *Bagdad*, ſurnamed *Al Kudúri*, of which the *Hadáyah* is a comment. Ly J.

137. *b*. *Ditto*. Ly J.

138. *Hedáyah*. A comment on *Al Kuduri*, by *Burhán ud Din ul Marghinání*. Ly J.

139. *Fatávi Alemgíri*. Deciſions collected by order of the Emperor *Aurungzeb*. Four vols. Ly J.

140. *Al Sharifiyah*. A commentary on a law book, called *Al Sarájiyah*, by *Sayad Sharíf*. Ly J.

141. *Mazheb ul Imám ul Aazem Abu Hanifeh*. The religious doctrines and opinions of *Abu Hanifeh*. Ly J.

137. An abridgment, or inſtitutes of the law of contracts; by Abul Haſan Ahmed of Bajdad, ſurnamed Alkuduri; who died Y. H. 428, Y. C. 1036.

The Hedayah, by Burhanuddin Al Marghiani, who died Y. H. 591. Y. C. 1194, is a commentary on this book.

Marghinan is in the diſtrict of Firghana.

140. Finiſhed the third careful reading of this book, Auguſt 30, 1792. W. J.

142. *Caſhcul.* An Aſiatick Miſcellany, by *Buhá ud Din al Aamili.* Ly J.

143. *Sacardán us Sultán.* A treatiſe on various myſtical ſubjects, in ſeven chapters, by *Shékh Ibn i Hajalah.* Ly J.

144. *Al Cáſiyah.* A grammar of the Arabick Language, by *Ibn ul Hájib*, with a commentary by *Mulá Jámi.* Ly J.

145. *a. Kámus.* A dictionary of the Arabick language. Sir W. J.

145. *b. Ditto.* Ly J.

146. *Al Khuláſet.* A grammar of the Arabick language. Ly J.

147. *Two treatiſes* on Arabick grammar. Ly J.

148. *A treatiſe* on Arabick grammar. Ly J.

149. *A dictionary* of the Arabick language. Ly J.

150. *Elm i Hindiſa.* A treatiſe on geometry, by *Bu Ali Séna.* Ly J.

151. *A treatiſe* on geometry, with tables.

152. *Al Mutálab ul Haſani.* Propoſitions in theology. Ly J.

153. *Hamaſah.* Ancient Arabian poems, collected by *Abu Timmám.* Sir W. J.

154. *Al Motanábi.* The poems of *Abu Taib*, ſurnamed *Al Motanábi.* Sir W. J.

155. *Dewán i Ali.* The poems of *Ali.* Sir W. J.

156. *Dewán ul A'ſhak.* A book of poems. Sir W. J.

157. *Sharah i akáyad i Mulá Saduddin.* A commentary on the *Akáyad*, by *Saduddin.* Sir W. J.

153. This book was copied by *Abdullah* of *Mecca,* from a manuſcript on tranſparent paper traced at *Oxford,* from * an eſtimable copy of the *Hamaſah,* which *Pocock* had brought from *Aleppo,* and on which he ſet a high value. I gave ten guineas to the boy who traced it, and I value this book, at leaſt, at twenty guineas. W. J. November 26, 1788.

154. I received this valuable manuſcript by the hands of Mr. Howard, to whoſe care it was intruſted in June, 1774, at Venice, by Mr. Wortley Montague. It was a preſent from *Abderrehman Beg*, who wrote the Arabick verſes in this page, which are ſo flattering to me, that I can hardly tranſlate them without bluſhing. W. J. October 2, 1794.

* *On* in the original.

158. *Sharah*

158. *Sharah ul Moalakát.* A commentary on the *Moalakát.* Ly J.

159. *Sharah ul Mobárak.* Another commentary on the *Moalakát.* Ly J.

160. *Kaſáyed ſabah moalakah.* The poems of *Almutálammis*, moſt elegantly written. Ly J.

161. *Kaſáyed ul Muſabba.* Poems. Ly J.

162. *A'dábul Malúk.* The manners of princes. Ly J.

163. *Behr ul Basít.* Ly J.

164. *Taif ul Khiyal.* Sir W. J.

165. *Moruj uz zeheb wa maaden ul Jóher.* An hiſtorical and geographical work, by *Abul Haſſan*, ſurnamed *Maſaudi.* Sir W. J.

166. *Harîri.* The moral diſcourſes of *Harîri.* Sir W. J.

167. An Arabick manuſcript traced on oil-paper. (Probably that mentioned in note to 153.) Ly J.

168. A new copy of a manuſcript, in ſheets (no name). Ly J.

## HINDOSTANI.

169. GULISTAN. Tranſlated from the Perſian. Sir W. J.

170. A commentary on the *Grunt'ha*, the religious inſtitution of the *Sic'hs*, in the *Nágari* character. Ly J.

169. Buſteram Shahzadah, the aſſiſtant of the college of Sic'hs at Calcutta, was produced as a witneſs to ground a motion for commiſſion to examine a woman of high rank. The *Grunt'ha* was not in court, but he read this book with eaſe, and ſaid it was a religious work, containing extracts from the *Grunt'ha.* November 15.

The Grunt'ha, a very thick 4to volume in this hand, was produced, and the *Sic'hs* ſworn by it.

AN

# ESSAY

ON

# THE LAW OF BAILMENTS.

In tutelis, ſocietatibus, *fiduciis*, *mandatis*, rebus emptis-venditis, *conductis-locatis*, quibus vitæ ſocietas continetur, magni eſt judicis ſtatuere (præſertim cùm in pleriſque ſint judicia contraria), *quid quemque cuique præſtare* oporteat.

Q. SCÆVOLA, apud CIC. de Offic. lib. III.

AN

# ESSAY

ON

# THE LAW OF BAILMENTS.

HAVING lately had occafion to examine with fome attention the nature and properties of that contract, which lawyers call BAILMENT, or, *A delivery of goods on a condition, expreffed or implied, that they fhall be reftored by the bailee to the bailor, or according to his directions, as foon as the purpofe, for which they were bailed, fhall be anfwered,* I could not but obferve with furprife, that a title in our ENGLISH law, which feems the moft generally interefting, fhould be the leaft generally underftood, and the leaft precifely afcertained. Hundreds and thoufands of men pafs through life, without knowing, or caring to know, any of the numberlefs niceties, which attend our abftrufe, though elegant, fyftem of real property, and without being at all acquainted with that exquifite logick, on which our rules of fpecial pleading are founded; but there is hardly a man of any age or ftation, who does not every week and almoft every day contract the obligations or acquire the rights of a *hirer* or a *letter to hire*, of a *borrower* or a *lender*, of a *depofitary* or a perfon *depofiting*, of a *commiffioner* or an *employer*, of a *receiver* or a *giver*, in *pledge*; and what can be more abfurd, as well as more dangerous, than frequently to be bound by duties, without knowing the nature or extent of them,

and

and to enjoy rights, of which we have no juſt idea? Nor muſt it ever be forgotten, that the contracts above-mentioned are among the principal ſprings and wheels of civil ſociety; that, if a want of mutual confidence, or any other cauſe, were to weaken them or obſtruct their motion, the whole machine would inſtantly be diſordered or broken to pieces: preſerve them, and various accidents may ſtill deprive men of happineſs; but deſtroy them, and the whole ſpecies muſt infallibly be miſerable. It ſeems therefore aſtoniſhing, that ſo important a branch of juriſprudence ſhould have been ſo long and ſo ſtrangely unſettled in a great commercial country; and that, from the reign of ELIZABETH to the reign of ANNE, *the doctrine of bailments* ſhould have produced more contradictions and confuſion, more diverſity of opinion and inconſiſtency of argument, than any other part, perhaps, of juridical learning; at leaſt, than any other part equally ſimple.

Such being the caſe, I could not help imagining, that a ſhort and perſpicuous diſcuſſion of this title, an expoſition of all our ancient and modern deciſions concerning it, an attempt to reconcile judgments apparently diſcordant, and to illuſtrate our laws by a compariſon of them with thoſe of other nations, together with an inveſtigation of their true ſpirit and reaſon, would not be wholly unacceptible to the ſtudent of *Engliſh* law; eſpecially as our excellent BLACKSTONE, who of all men was beſt able to throw the cleareſt light on this, as on every other, ſubject, has compriſed the whole doctrine in three paragraphs, which, without affecting the merit of his incomparable work, we may ſafely pronounce the leaſt ſatisfactory part of it; for he repreſents *lending* and *letting to hire*, which are *bailments* by his own definition, as contracts of *a diſtinct ſpecies*; he ſays nothing of employment by *commiſſion*; he introduces the doctrine of a *diſtreſs*, which has an analogy to a *pawn*, but is not properly

perly *bailed*; and, on the great queſtion of *reſponſibility for neglect*, he ſpeaks ſo looſely and indeterminately, that no fixed ideas can be collected from his words*. His commentaries are the moſt correct and beautiful outline, that ever was exhibited of any human ſcience; but they alone will no more form a lawyer, than a general map of the world, how accurately and elegantly ſoever it may be delineated, will make a geographer: if, indeed, all the titles, which he profeſſed only to ſketch in elementary diſcourſes, were filled up with exactneſs and perſpicuity, *Engliſhmen* might hope at length to poſſeſs a digeſt of their laws, which would leave but little room for controverſy, except in caſes depending on their particular circumſtances; a work, which every lover of humanity and peace muſt anxiouſly wiſh to ſee accompliſhed. The following eſſay (for it aſpires to no higher name) will explain my idea of ſupplying the omiſſions, whether deſigned or involuntary, in the Commentaries on the Laws of ENGLAND.

I propoſe to begin with treating the ſubject *analytically*, and, having traced every part of it up to the firſt principles of natural reaſon, ſhall proceed *hiſtorically*, to ſhow with what perfect harmony thoſe principles are recogniſed and eſtabliſhed by other nations, eſpecially the ROMANS, as well as by our ENGLISH courts, when their deciſions are properly underſtood and clearly diſtinguiſhed; after which I ſhall reſume *ſynthetically* the whole learning of *bailments*, and expound ſuch rules, as, in my humble apprehenſion, will prevent any farther perplexity on this intereſting title, except in caſes very peculiarly circumſtanced.

From the obligation, contained in the definition of bailment, *to reſtore the thing bailed at a certain time*, it follows, that the baillee muſt *keep* it,

* 2 Comm. 452, 453, 454.

and

and be *reſponſible* to the bailor, *if it be loſt or damaged*; but, as the bounds of juſtice would in moſt caſes be tranſgreſſed, if he were made anſwerable for the loſs of it *without his fault*, he can only be obliged to keep it with a degree of *care proportioned to the nature of the bailment*; and the inveſtigation of this *degree* in every particular contract is the problem, which involves the principal difficulty.

There are infinite ſhades of *care* or *diligence* from the ſlighteſt momentary thought, or tranſient glance of attention, to the moſt vigilant anxiety and ſolicitude; but *extremes* in this caſe, as in moſt others, *are inapplicable to practice:* the firſt extreme would ſeldom enable the baillee to perform the condition, and the ſecond ought not in juſtice to be demanded; ſince it would be harſh and abſurd to exact the ſame anxious care, which the greateſt miſer takes of his treaſure, from every man, who borrows a book or a ſeal. The degrees then of care, for which we are ſeeking, muſt lie ſomewhere between theſe extremes; and, by obſerving the different manners and characters of men, we may find a certain ſtandard, which will greatly facilitate our inquiry; for, although ſome are exceſſively careleſs, and others exceſſively vigilant, and ſome through life, others only at particular times, yet we may perceive, that *the generality of rational men* uſe nearly the ſame degree of diligence in the conduct of *their own* affairs; and this care, therefore, which *every perſon of common prudence and capable of governing a family* takes of *his own* concerns, is a proper meaſure of that, which would uniformly be required in performing every contract, if there were not ſtrong reaſons for *exacting* in ſome of them a *greater*, and *permitting* in others a *leſs*, degree of attention. Here then we may fix a conſtant determinate point, on each ſide of which there is a ſeries conſiſting of variable terms tending indefinitely towards the above-mentioned extremes, in proportion as the caſe admits of indulgence or demands rigour: if the conſtruction be *favourable*, a degree of care *leſs* than the ſtandard

ſtandard will be ſufficient; if *rigorous*, a degree *more* will be required; and, in the firſt caſe, the meaſure will be that care, which *every man of common ſenſe, though abſent and inattentive*, applies to his own affairs; in the ſecond, the meaſure will be that attention, which a man *remarkably exact and thoughtful* gives to the ſecuring of his perſonal property.

The fixed mode or ſtandard of diligence I ſhall (for want of an apter epithet) invariably call ORDINARY; although that word is equivocal, and ſometimes involves a notion of degradation, which I mean wholly to exclude; but the unvaried uſe of the word in one ſenſe will prevent the leaſt obſcurity. The degrees on each ſide of the ſtandard, being indeterminate, need not be diſtinguiſhed by any preciſe denomination: the firſt may be called LESS, and the ſecond, MORE, THAN ORDINARY diligence.

*Superlatives* are exactly true in mathematicks; they approach to truth in abſtract morality; but in practice and actual life they are commonly falſe: they are often, indeed, uſed for mere *intenſives*, as *the* MOST *diligent* for VERY *diligent*; but this is a rhetorical figure; and, as rhetorick, like her ſiſter poetry, delights in fiction, her language ought never to be adopted in ſober inveſtigations of truth: for this reaſon I would reject from the preſent inquiry all ſuch expreſſions as *the utmoſt care*, *all poſſible*, or *all imaginable*, *diligence*, and the like, which have been the cauſe of many errors in the code of ancient ROME, whence, as it will ſoon be demonſtrated, they have been introduced into our books even of high authority.

Juſt in the ſame manner, there are infinite ſhades of *default* or *neglect*, from the ſlighteſt inattention or momentary abſence of mind to the moſt reprehenſible ſupineneſs and ſtupidity: theſe are the omiſſions

omiſſions of the before-mentioned degrees of diligence, and are exactly correſpondent with them. Thus the omiſſion of that care, *which every prudent man takes of his own property*, is the determinate point of negligence, on each ſide of which is a ſeries of variable modes of default infinitely diminiſhing, in proportion as their oppoſite modes of care infinitely increaſe; for the want of extremely great care is an extremely little fault, and the want of the ſlighteſt attention is ſo conſiderable a fault, that it almoſt changes its nature, and nearly becomes in theory, as it exactly does in practice, a breach of truſt and a deviation from common honeſty. This known, or fixed, point of negligence is therefore a mean between *fraud* and *accident*; and, as the increaſing ſeries continually approaches to the firſt extreme, without ever becoming preciſely equal to it, until the laſt term melts into it or vaniſhes, ſo the decreaſing ſeries continually approximates to the ſecond extreme, and at length becomes nearer to it than any aſſignable difference: but the laſt terms being, as before, excluded, we muſt look within them for modes applicable to practice; and theſe we ſhall find to be the omiſſions of ſuch care as *a man of common ſenſe, however inattentive*, and of ſuch as a *very cautious and vigilant* man, reſpectively take of *their own poſſeſſions*.

The conſtant, or fixed, mode of *default* I likewiſe call ORDINARY, not meaning by that epithet to diminiſh the culpability of it, but wanting a more appoſite word, and intending to uſe this word uniformly in the ſame ſenſe: of the two variable modes the firſt may be called GREATER, and the ſecond, LESS, THAN ORDINARY, or the firſt GROSS, and the other, SLIGHT neglect.

It is obvious, that a bailee of common honeſty, if he alſo have common prudence, would not be *more* negligent *than ordinary* in keeping the thing bailed: ſuch negligence (as we before have intimated)

mated) would be a violation of good faith, and a proof of an intention to defraud and injure the bailor.

It is not lefs obvious, though lefs pertinent to the fubject, that infinite degrees of *fraud* may be conceived increafing in a feries from the term, where *grofs neglect* ends, to a term, where pofitive *crime* begins; as *crimes* likewife proceed gradually from the lighteft to the moft atrocious; and, in the fame manner, there are infinite degrees of *accident* from the limit of extremely flight neglect to a *force irrefiftible* by any human power. Law, as a practical fcience, cannot take notice of melting lines, nice difcriminations, and evanefcent quantities; but it does not follow, that *neglect*, *deceit*, and *accident*, are to be confidered as indivifible points, and that *no degrees whatever* on either fide of the ftandard are admiffible in legal difquifitions.

Having difcovered the feveral modes of *diligence*, which may juftly be demanded of contracting parties, let us inquire in what particular cafes a bailee is by natural law bound to ufe them, or to be anfwerable for the omiffion of them.

When the contract is *reciprocally beneficial to both parties*, the obligation hangs in an even balance; and there can be no reafon to recede from the ftandard: nothing more, therefore, ought in that cafe to be required than *ordinary diligence*, and the bailee fhould be refponfible for no more than *ordinary neglect*; but it is very different, both in reafon and policy, when *one* only of the contracting parties derives advantage from the contract.

If the *bailor only* receive benefit or convenience from the bailment, it would be hard and unjuft to require any particular trouble from the

*bailee*, who ought not to be moleſted unneceſſarily for his obliging conduct: if more, therefore, than *good faith* were exacted from ſuch a perſon, that is, if he were to be made anſwerable for leſs than *groſs* neglect, few men after one or two examples, would accept goods on ſuch terms, and ſocial comfort would be proportionably impaired.

On the other hand, when the *bailee alone* is benefited or accommodated by his contract, it is not only reaſonable, that he, *who receives the benefit*, *ſhould bear the burden*, but, if he were not obliged to be *more than ordinarily* careful, and bound to anſwer even for *ſlight* neglect, few men (for acts of pure generoſity and friendſhip are not here to be ſuppoſed) would part with their goods for the mere advantage of another, and much convenience would conſquently be loſt in civil ſociety.

This diſtinction is conformable not only to natural reaſon, but alſo, by a fair preſumption, to the *intention of the parties*, which conſtitutes the genuine law of all contracts, when it contravenes no maxim of morals or good government; but, when a different intention is *expreſſed*, the rule (as in deviſes) yields to it; and a bailee without benefit may, by a ſpecial undertaking, make himſelf liable for *ordinary*, or *ſlight*, neglect, or even for inevitable *accident:* hence, as an agreement, *that a man may ſafely be diſhoneſt*, is repugnant to decency and morality, and, as no man ſhall be *preſumed* to bind himſelf againſt *irreſiſtible force*, it is a juſt rule, that *every* bailee is reſponſible for *fraud*, even *though* the contrary be ſtipulated, but that *no* bailee is reſponſible for *accident*, *unleſs* it be moſt expreſsly ſo agreed.

The plain elements of natural law, on the ſubject of reſponſibility for neglect, having been traced by this ſhort analyſis, I come to the ſecond, or *hiſtorical*, part of my eſſay; in which I ſhall demonſtrate, after

after a few introductory remarks, that a perfect harmony subsists on this interesting branch of jurisprudence in the codes of nations most eminent for legal wisdom, particularly of the ROMANS and the ENGLISH.

Of all known laws the most ancient and venerable are those of the JEWS; and among the *Mosaick* institutions we have some curious rules on the very subject before us; but, as they are not numerous enough to compose a system, it will be sufficient to interweave them as we go along, and explain them in their proper places: for a similar reason, I shall say nothing here of the *Attick* laws on this title, but shall proceed at once to that nation, by which the wisdom of ATHENS was eclipsed, and her glory extinguished.

The decisions of the old *Roman* lawyers, collected and arranged in the sixth century by the order of JUSTINIAN, have been for ages, and in some degree still are, in bad odour among *Englishmen*: this is an honest prejudice, and flows from a laudable source; but a prejudice, most certainly, it is, and, like all others, may be carried to a culpable excess.

The constitution of ROME was originally excellent; but, when it was *settled*, as historians write, *by* AUGUSTUS, or, in truer words, when that base dissembler and cold-blooded assassin *C. Octavius* gave law to millions of honester, wiser, and braver men than himself by the help of a profligate army and an abandoned senate, the new form of government was in itself absurd and unnatural; and the *lex regia*, which concentrated in the prince all the powers of the state both executive and legislative, was a tyrannous ordinance, with the name only, not the nature, of a law*; had it even been voluntarily conceded, as it was in truth forcibly extorted, it could not have bound the *sons* of

* D. 1. 4. 1.

those

thoſe who conſented to it; for "a renunciation of *perſonal* rights, "eſpecially rights of the higheſt nature, can have no operation beyond "the *perſons* of thoſe, who renounce them." Yet, iniquitous and odious as the *ſettlement* of the conſtitution was, ULPIAN only ſpoke in conformity to it, when he ſaid that "the will of the prince had the "force of law;" that is, as he afterwards explains himſelf, *in the* ROMAN *empire*; for he neither meaned, nor could be mad enough to mean, that the propoſition was juſt or true as a general maxim. So congenial, however, was this rule or ſentence, ill underſtood and worſe applied, to the minds of our early NORMAN kings, that ſome of them, according to Sir JOHN FORTESCUE, "were not pleaſed with their "own laws, but exerted themſelves to introduce the civil laws of "*Rome* into the government of ENGLAND*;" and ſo hateful was it to our ſturdy anceſtors, that, if JOHN of SALISBURY be credited, "they burned and tore all ſuch books of civil and canon law as fell into "their hands†:" but this was intemperate zeal; and it would have been ſufficient to improbate the *publick*, or *conſtitutional*, maxims of the *Roman* imperial law, as abſurd in themſelves as well as inapplicable to our free government, without rejecting the whole ſyſtem of *private* juriſprudence as incapable of anſwering even the purpoſe of illuſtration. Many *poſitive* inſtitutions of the *Romans* are demonſtrated by FORTESCUE, with great force, to be far ſurpaſſed in juſtice and ſenſe by our own immemorial cuſtoms; and the reſcripts of SEVERUS or CARACALLA, which were laws, it ſeems, at *Rome*, have certainly no kind of authority at *Weſtminſter*; but, in queſtions of *rational* law, no cauſe can be aſſigned, why we ſhould not ſhorten our own labour by reſorting occaſionally to the wiſdom of ancient juriſts, many of whom were the moſt ingenious and ſagacious of men. What is good ſenſe, in one age, muſt be good ſenſe, all circumſtances remaining, in

* *De* Laud. Leg. Angl. c. 33, 34.

† Seld. *in* Fort. c. 33.

another;

another; and pure unſophiſticated reaſon is the ſame in ITALY and in ENGLAND, in the mind of a PAPINIAN and of a BLACKSTONE.

Without undertaking, therefore, in all inſtances, to reconcile NERVA with PROCULUS, LABEO with JULIAN, and GAIUS either with CELSUS or with himſelf, I ſhall proceed to exhibit a ſummary of the *Roman* law on the ſubject of *reſponſibility for neglect.*

The two great ſources, whence all the deciſions of civilians on this matter muſt be derived, are *two* laws of ULPIAN; the firſt of which is taken from his work on *Sabinus*, and the ſecond from his tract on the Edict: of both theſe laws I ſhall give a verbal tranſlation according to my apprehenſion of their obvious meaning, and ſhall then ſtate a very learned and intereſting controverſy concerning them, with the principal arguments on each ſide, as far as they tend to elucidate the queſtion before us.

" Some contracts, ſays the great writer on *Sabinus*, make the party " reſponſible for DECEIT ONLY; ſome, for both DECEIT AND NEG- " LECT. Nothing more than *reſponſibility for* DECEIT *is demanded* in " DEPOSITS and POSSESSION AT WILL; both DECEIT AND NEGLECT " *are inhibited* in COMMISSIONS, LENDING FOR USE, CUSTODY AFTER " SALE, TAKING IN PLEDGE, HIRING; alſo in PORTIONS, GUAR- " DIANSHIPS, VOLUNTARY WORK: (among theſe SOME *require* even " *more than ordinary* DILIGENCE). PARTNERSHIP and UNDIVIDED " PROPERTY make *the partner and joint-proprietor* anſwerable for both " DECEIT AND NEGLIGENCE*."

* Contractûs quidam DOLUM malum DUNTAXAT recipiunt; quidam, et DOLUM ET CULPAM. DOLUM tantùm DEPOSITUM et PRECARIUM; DOLUM ET CULPAM, MANDATUM, COMMODATUM, VENDITUM, PIGNORI ACCEPTUM, LOCATUM; item DOTISDATIO, TUTELÆ, NEGOTIA GESTA: (in his QUIDAM et DILIGENTIAM). SOCIETAS et RERUM COMMUNIO et DOLUM ET CULPAM recipit. D. 50. 17. 23.

" In

"In contracts, says the same author in his other work, we are "sometimes responsible for DECEIT ALONE; sometimes, for NEGLECT ALSO; for DECEIT ONLY in DEPOSITS; because, since NO "BENEFIT accrues to the depositary, he can justly be answerable for "no more than DECEIT; but, if a REWARD happen to be given, then "*a responsibility for* NEGLECT ALSO is required; or, if it be agreed at "the time of the contract, that the depositary shall answer both for "NEGLECT and for ACCIDENT: but, where A BENEFIT accrues to "BOTH parties, as in KEEPING A THING SOLD, as in HIRING, as in "PORTIONS, as in PLEDGES, as in PARTNERSHIP, both DECEIT AND "NEGLECT make the party liable. LENDING FOR USE, indeed, is "for the most part BENEFICIAL to the BORROWER ONLY; and, for "this reason, the better opinion is that of Q. MUCIUS, who thought, "that HE should be responsible not only for NEGLECT, but even for "the omission of *more than ordinary* DILIGENCE *."

One would scarce have believed it possible, that there could have been two opinions on laws so perspicuous and precise, composed by the same writer, who was indubitably the best expositor of his own doctrine, and apparently written in illustration of each other; the first comprising the rule, and the second containing the reason of it: yet the single passage extracted from the book on SABINUS has had no fewer than twelve particular commentaries in *Latin* †, one or two in

* In contractibus interdum DOLUM SOLUM, interdum ET CULPAM, præstamus; DOLUM in DEPOSITO; nam, quia NULLA UTILITAS ejus versatur, apud quem deponitur, merito DOLUS præstatur SOLUS; nisi fortè et MERCES accessit, tunc enim, ut est et constitutum, ETIAM CULPA exhibetur; aut, si hoc ab initio convenit, ut et CULPAM et PERICULUM præstet is, penes quem deponitur: sed, ubi UTRIUSQUE UTILITAS vertitur, ut in EMPTO, ut in LOCATO, ut in DOTE, ut in PIGNORE, ut in SOCIETATE, et DOLUS ET CULPA præstatur. COMMODATUM autem plerumque SOLAM UTILITATEM continet ejus, CUI COMMODATUR; et ideò verior est Q. MUCII sententia existimantis et CULPAM præstandam et DILIGENTIAM. D. 13. 6. 5. 2.

† BOCERUS, CAMPANUS, D'AVEZAN, DEL RIO, LE CONTE, RITTERSHUSIUS, GIPHANIUS, J. GODEFROI, and others.

*Greek*,

*Greek**, and ſome in the *modern* languages of EUROPE, beſides the general expoſitions of that important part of the digeſt, in which it is preſerved. Moſt of theſe I have peruſed with more admiration of human ſagacity and induſtry than either ſolid inſtruction or rational entertainment; for theſe authors, like the generality of commentators, treat one another very roughly on very little provocation, and have the art rather of clouding texts in themſelves clear, than of elucidating paſſages, which have any obſcurity in the words or the ſenſe of them. CAMPANAS, indeed, who was both a lawyer and a poet, has turned the firſt law of *Ulpian* into *Latin* hexameters; and his authority, both in proſe and verſe, confirms the interpretation, which I have juſt given.

The chief cauſes of all this perplexity have been, firſt, the vague and indiſtinct manner in which the old *Roman* lawyers, even the moſt eminent, have written on the ſubject; ſecondly, the looſe and equivocal ſenſe of the words DILIGENTIA and CULPA; laſtly and principally, the darkneſs of the parenthetical clauſe IN HIS QUIDAM ET DILIGENTIAM, which has produced more doubt, as to its true reading and ſignification, than any ſentence of equal length in any author *Greek* or *Latin*. Minute as the queſtion concerning this clauſe may ſeem, and dry as it certainly is, a ſhort examination of it appears abſolutely neceſſary.

The vulgate editions of the pandects, and the manuſcripts, from which they were printed, exhibit the reading above ſet forth; and it has accordingly been adopted by CUJAS, P. FABER, LE CONTE, DONELLUS, and *moſt* others, as giving a ſenſe both perſpicuous in itſelf and conſiſtent with the ſecond law; but the FLORENTINE copy has

* The ſcholium on *Harmenopulus*, l. 6. tit. de Reg. Jur. n. 55. may be conſidered as a commentary on this law.

has *quidem*, and the copies, from which the *Basilica* were translated three centuries after JUSTINIAN, appear to have contained the same word, since the *Greeks* have rendered it by a particle of similar import. This variation in a single letter makes a total alteration in the whole doctrine of ULPIAN; for, *if* it be agreed, that *diligentia* means, by a figure of speech, *a more than ordinary degree of diligence*, the common reading will imply, conformably with the second law before cited, that "SOME of the preceding contracts demand that higher degree;" but the *Florentine* reading will denote, in contradiction to it, that "ALL "of them require more than ordinary exertions."

It is by no means my design to depreciate the authority of the venerable manuscript preserved at *Florence*; for, although few civilians, I believe, agree with POLITIAN, in supposing it to be one of the *originals*, which were sent by *Justinian* himself to the principal towns of *Italy**, yet it may *possibly* be the very book, which the Emperor LOTHARIUS II. is *said* to have found at *Amalfi* about the year 1130, and gave to the citizens of PISA, from whom it was taken, near three hundred years after, by the *Florentines*, and has been kept by them with superstitious reverence†: be that as it may, the copy deserves the highest respect; but, if any proof be requisite, that it is *no faultless* transcript, we may observe, that, in the very law before us, *accedunt* is erroneously written for *accidunt*; and the whole phrase, indeed, in which that word occurs, is different from the copy used by the *Greek* interpreters, and conveys a meaning, as BOCERUS and others have remarked, not supportable by any principle or analogy.

This, too, is indisputably clear; that the sentence *in his* QUIDEM *et diligentia*M, is ungrammatical, and cannot be construed according to the

* Epist. x. 4. Miscell. cap. 41. See Gravina, lib. i. § 141.

† Taurelli, Præf. ad Pand. Florent.

interpretation,

interpretation, which ſome contend for. What verb is underſtood? *Recipiunt*. What noun? *Contractûs*. What then becomes of the words *in his*, namely *contractibus*, unleſs *in* ſignify *among?* And, in that caſe, the difference between QUIDEM and QUIDAM vaniſhes; for the clauſe may ſtill import, that "AMONG the preceding contracts (that is, *in* "SOME *of them)*, more than uſual diligence is exacted:" in this ſenſe the *Greek* prepoſition ſeems to have been taken by the ſcholiaſt on HARMENOPULUS; and it may here be mentioned, that *diligentia*, in the nominative, appears in ſome old copies, as the *Greeks* have rendered it; but ACCURSIUS, DEL RIO, and a few others, conſider the word as implying no more than diligence *in general*, and diſtinguiſh it into various *degrees* applicable to the ſeveral contracts, which ULPIAN enumerates. We may add, that one or two interpreters thus explain the whole ſentence, "in his *contractibus* quidam *juriſconſulti* et diligen-"tiam *requirunt*," but this interpretation, if it could be admitted, would entirely deſtroy the authority of the clauſe, and imply, that *Ulpian* was of a different opinion. As to the laſt conjecture, that only *certain caſes* and *circumſtances* are meaned by the word QUIDAM, it ſcarce deſerves to be repeated. On the whole, I ſtrongly incline to prefer the vulgate reading, eſpecially as it is not conjectural, but has the authority of manuſcripts to ſupport it; and the miſtake of a letter might eaſily have been made by a tranſcriber, whom the prefaces, the epigram prefixed, and other circumſtances, prove to have been, as *Taurelli* himſelf admits, a *Greek*. Whatever, in ſhort, be the genuine words of this much-controverted clauſe, I am perſuaded, that it ought by no means to be ſtrained into an inconſiſtency with the *ſecond* law; and this has been the opinion of *moſt* foreign juriſts from Azo and ALCIAT down to HEINECCIUS and HUBER; who, let their diſſenſion be, on other points, ever ſo great, think alike in diſtinguiſhing *three degrees* of neglect, which we may term *groſs*, *ordinary*, and *ſlight*, and in demanding reſponſibility for thoſe degrees according to the rule before expounded.

 The

The law then on this head, which prevailed in the ancient *Roman* empire, and ftill prevails in *Germany*, *Spain*, *France*, *Italy*, *Holland*, conftituting, as it were, a part of the law of nations, is in fubftance what follows.

Grofs neglect, *lata culpa*, or, as the *Roman* lawyers moft accurately call it, *dolo proxima*, is in practice confidered as equivalent to DOLUS, or FRAUD, itfelf; and confifts, according to the beft interpreters, in the *omiffion* of that care, *which even inattentive and thoughtlefs men never fail to take of their own property:* this fault they juftly hold a violation of *good faith*.

Ordinary neglect, *levis culpa*, is the *want* of that diligence, which the *generality of mankind ufe in their own concerns*; that is, of *ordinary care*.

Slight neglect, *leviffima culpa*, is the *omiffion* of that care, which *very attentive and vigilant perfons take of their own goods*, or, in other words, of *very exact diligence*.

Now, in order to afcertain the degree of neglect, for which a man, who has in his poffeffion the goods of another, is made refponfible by his contract, either *exprefs* or *implied*, civilians eftablifh *three* principles, which they deduce from the law of *Ulpian* on the *Edict*; and here it may be obferved, that they frequently diftinguifh this law by the name of *Si ut certo*, and the other by that of *Contractus* *; as many poems and hiftories in ancient languages are denominated from their *initial* words.

* Or l. 5. § 2. ff. *Commod.* and l. 23. ff. *de reg. jur.* Inftead of *ff*, which is a barbarous corruption of the initial letter of πανδέκται, many write D, for *Digeft*, with more clearnefs and propriety.

First:

Firſt: In contracts, which are beneficial *ſolely* to the owner of the property holden by another, no more is demanded of the holder than *good faith*, and he is conſequently reſponſible for nothing leſs than *groſs* neglect: this, therefore, is the general rule in DEPOSITS; but, in regard to COMMISSIONS, or, as foreigners call them, MANDATES, and the *implied* contract *negotiorum geſtorum*, a certain care is requiſite from *the nature of the thing*; and, as *good faith* itſelf demands, that ſuch care be proportioned to the exigence of each particular caſe, the law *preſumes*, that the mandatary or commiſſioner, and, by parity of reaſon, the *negotiorum geſtor*, engaged at the time of contracting to uſe a degree of diligence *adequate to the performance of the work undertaken**.

Secondly: In contracts *reciprocally* beneficial to *both* parties, as in thoſe of SALE, HIRING, PLEDGING, PARTNERSHIP, and the contract implied in JOINT-PROPERTY, ſuch care is exacted, as *every prudent man commonly takes of his own goods*; and, by conſequence, the *vendor*, the *hirer*, the *taker in pledge*, the *partner*, and the *co-proprietor*, are anſwerable for *ordinary* neglect.

Thirdly: In contracts, from which a benefit accrues *only* to him, who has the goods in his cuſtody, as in that of LENDING FOR USE, an *extraordinary* degree of care is demanded; and the *borrower* is, therefore, reſponſible for *ſlight* negligence.

This had been the learning generally, and almoſt unanimouſly, received and taught by the doctors of *Roman* law; and it is very remarkable, that even ANTOINE FAVRE, or *Faber*, who was famed for innovation and paradox, who publiſhed two ample volumes *De Erroribus Interpretum*, and whom GRAVINA juſtly calls *the boldeſt of expoſitors and*

* *Spondet diligentiam*, ſay the *Roman* lawyers, *gerendo negotio parem.*

*the*

*the keeneſt adverſary of the practiſers* *, diſcovered no error in the common interpretation of two celebrated laws, which have ſo direct and ſo powerful an influence over ſocial life, and which he muſt repeatedly have conſidered: but the younger GODEFROI of *Geneva*, a lawyer confeſſedly of eminent learning, who died about the middle of the laſt century, left behind him a regular *commentary* on the law *Contractus*, in which he boldly combats the ſentiments of all his predeceſſors, and even of the ancient *Romans*, and endeavours to ſupport a new ſyſtem of his own.

He adopts, in the firſt place, the *Florentine* reading, of which the ſtudent, I hope, has formed by this time a decided opinion from a preceding page of this eſſay.

He cenſures the rule compriſed in the law *Si ut certo* as weak and fallacious, yet admits, that the rule, which He condemns, had the approbation and ſupport of MODESTINUS, of PAULUS, of AFRICANUS, of GAIUS, and of the great PAPINIAN himſelf; nor does he ſatisfactorily prove the *fallaciouſneſs*, to which he objects, unleſs every rule be fallacious, to which there are ſome exceptions. He underſtands by DILIGENTIA that care, which *a very attentive and vigilant man* takes of his own property; and he demands this care in *all* the eight contracts, which immediately precede the diſputed clauſe: in the *two*, which follow it, he requires no more than *ordinary* diligence. He admits, however, the *three* degrees of neglect above ſtated, and uſes the common epithets *levis* and *leviſſima*; but, in order to reconcile his ſyſtem with many laws, which evidently oppoſe it, he aſcribes to the old lawyers the wildeſt mutability of opinion, and is even forced to contend, that ULPIAN himſelf *muſt have changed his mind*.

* Orig. Jur. Civ. lib. i. § 183.

Since

Since his work was not publiſhed, I believe, in his life-time, there may be reaſon to ſuſpect, that he had not completely ſettled *his own* mind; and he concludes, indeed, with referring the deciſion of every caſe on this head to that moſt dangerous and moſt tremendous power, *the diſcretion of the judge**.

The *triple* diviſion of neglects had alſo been highly cenſured by ſome lawyers of reputation. ZASIUS had very juſtly remarked, that neglects differed in *degree*, but not in *ſpecies*; adding, "that he had no objection "to the uſe of the words *levis* and *leviſſima*, merely as terms of practice "adopted in courts, for the more eaſy diſtinction between the different "degrees of care exacted in the performance of different contracts †:" but DONELLUS, in oppoſition to his maſter *Duaren*, inſiſted that *levis* and *leviſſima* differed in ſound only, not in ſenſe; and attempted to prove his aſſertion triumphantly by a regular ſyllogiſm‡; the minor propoſition of which is raiſed on the figurative and inaccurate manner, in which poſitives are often uſed for ſuperlatives, and converſely, even by the beſt of the old *Roman* lawyers. True it is, that, in the law *Contractus*, the diviſion appears to be *two-fold* only, DOLUS and CULPA; which differ in *ſpecies*, when the firſt means *actual fraud and malice*, but in *degree* merely, when it denotes no more than *groſs neglect*; and, in either caſe, the ſecond branch, being capable of *more* and *leſs*, may be ſubdivided into *ordinary* and *ſlight*; a ſubdiviſion, which the law *Si ut certo* obviouſly requires: and thus are both laws perfectly reconciled.

* "Ego certè hac in re cenſentibus accedo; vix quidquam generaliùs definiri poſſe; remque hanc "ad *arbitrium judicis*, prout res eſt, referendam." p. 141.

† ZAS. *Singul. Reſp.* lib. i. cap. 2.

‡ "Quorum definitiones eædem ſunt, ea inter ſe ſunt eadem; *levis* autem culpæ et *leviſſimæ* una "et eadem definitio eſt: utraque igitur culpa eadem." Comm. Jur. Civ. lib. xvi. cap. 7.

We

We may apply the ſame reaſoning, changing what ſhould be chang-ed, to the *triple* diviſion of *diligence*; for, when *good faith* is conſidered as implying at leaſt the exertion of *ſlight* attention, the other branch, *Care*, is ſubdiviſible into *ordinary* and *extraordinary*; which brings us back to the number of degrees already eſtabliſhed both by the analyſis and by authority.

Nevertheleſs, a ſyſtem, in one part entirely new, was broached in the preſent century by an advocate in the parliament of PARIS, who may, probably, be now living, and, poſſibly, in that profeſſional ſtation, to which his learning and acuteneſs juſtly entitle him. I ſpeak of M. LE BRUN, who publiſhed, not many years ago, an *Eſſay on Reſponſibility for Neglect* *, which he had nearly finiſhed, before he had ſeen the commentary of *Godefroi*, and, in all probability, without ever being acquainted with the opinion of *Donellus*.

This author ſharply reproves the *triple* diviſion of neglects, and ſeems to diſregard the rule concerning a benefit ariſing to *both*, or to *one*, of the contracting parties; yet he charges *Godefroi* with a want of due clearneſs in his ideas, and with a palpable miſinterpretation of ſeveral laws. He reads *in his quid*E*m et diligentiam*; and that with an air of triumph; inſinuating, that *quid*A*m* was only an artful conjecture of *Cujas* and *Le Conte*, for the purpoſe of eſtabliſhing *their* ſyſtem; and he ſupports *his own* reading by the authority of the BASILICA; an autho-rity, which, on another occaſion, he depreciates. He derides the abſur-dity of *permitting negligence* in any contract, and urges, that ſuch *per-miſſion*, as he calls it, is againſt expreſs law: "now, ſays he, where a "contract is beneficial to both parties, the doctors permit *ſlight* negli-"gence, which, how ſlight ſoever, is ſtill *negligence*, and ought always "to be inhibited." He warmly contends, that the ROMAN laws,

* *Eſſai ſur la Preſtation des Fautes*, à Paris, chez Saugrain, 1764.

properly

properly underſtood, admit only *two* degrees of diligence; one, meaſured by that, which *a provident and attentive father of a family* uſes in his own concerns; another, by that care, which the *individual party*, of whom it is required, *is accuſtomed to take of his own poſſeſſions*; and he, very ingeniouſly, ſubſtitutes a new rule in the place of that, which he rejects; namely, that, *when the things in queſtion are the* SOLE *property of the perſon, to whom they muſt be reſtored*, the holder of them is obliged to keep them with the *firſt* degree of diligence; whence he decides, that a *borrower* and a *hirer* are reſponſible for preciſely the ſame neglect; that a vendor, who retains for a time the cuſtody of the goods ſold, is under the ſame obligation, in reſpect of care, with a man, who undertakes to manage the affairs of another, either *without* his requeſt, as a *negotiorum geſtor*, or *with* it, as a *mandatary*: "but, ſays he, *when the* "*things are the* JOINT *property of the parties contracting*, no higher "diligence can be required than the ſecond degree, or that, which the "*acting party* commonly uſes in *his own* affairs; and it is ſufficient, "*if he keep them, as he keeps his own*." This he conceives to be the diſtinction between the *eight* contracts, which precede, and the *two*, which follow, the words *in his quidem et diligentiam*.

Throughout his work he diſplays no ſmall ſagacity and erudition, but ſpeaks with too much confidence of his own deciſions, and with too much aſperity or contempt of all other interpreters from BARTOLUS to VINNIUS.

At the time when this author wrote, the learned M. POTHIER was compoſing ſome of his admirable *treatiſes* on all the different ſpecies of expreſs, or implied, *contracts*; and here I ſeize with pleaſure an opportunity of recommending thoſe treatiſes to the *Engliſh* lawyer, exhorting him to read them again and again; for, if his great maſter LITTLETON has given him, as it muſt be preſumed, a taſte for luminous method,

appoſite

appoſite examples, and a clear manly ſtyle, in which nothing is redundant, nothing deficient, he will ſurely be delighted with works, in which all thoſe advantages are combined, and the greateſt portion of which is law at *Weſtminſter* as well as at *Orleans* *: for my own part, I am ſo charmed with them, that, if my undiſſembled fondneſs for the ſtudy of juriſprudence were never to produce any greater benefit to the publick, than barely the introduction of POTHIER to the acquaintance of my countrymen, I ſhould think that I had in ſome meaſure diſcharged the debt, which *every man*, according to lord COKE, *owes to his profeſſion*.

To this venerable profeſſor and judge, for he had ſuſtained both characters with deſerved applauſe, LE BRUN ſent a copy of his little work; and M. POTHIER honoured it with a ſhort, but complete, anſwer in the form of a *General Obſervation on his Treatiſes* †; declaring, at the ſame time, that *he would not enter into a literary conteſt*, and apologizing for his fixed adherence to the ancient ſyſtem, which he politely aſcribes to *the natural bias of an old man in favour of opinions formerly imbibed*. This is the ſubſtance of his anſwer: "that he can diſcover no kind of abſur-
" dity in the uſual diviſion of *neglect* and *diligence*, nor in the *rule*, by
" which different *degrees* of them are applied to different contracts;
" that, to ſpeak with ſtrict propriety, negligence is not *permitted* in any
" contract, but *a leſs rigorous conſtruction* prevails in ſome than in others;
" that a *hirer*, for inſtance, is not conſidered as *negligent*, when he takes
" the ſame care of the goods hired, which the generality of mankind
" take of their own; that the *letter to hire*, who has his reward, muſt
" be preſumed to have demanded at firſt no higher degree of diligence,

* *Oeuvres de M. Pothier*, à Paris, chez DEBURE: 28 volumes in *duodecimo*, or 6 in *quarto*. The illuſtrious author died in 1772.

† It is printed apart, in *fourteen* pages, at the end of his treatiſe on the *Marriage-contract*.

" and

"and cannot juftly complain of that *inattention*, which in another cafe "might have been culpable; for a *lender*, who has *no* reward, may "fairly exact from the borrower that *extraordinary* degree of care, "which *a very attentive perfon of his age and quality* would certainly "have taken; that the diligence, which *the* INDIVIDUAL *party commonly ufes in his own affairs*, cannot properly be the object of judicial "inquiry; for *every* truftee, adminiftrator, partner, or co-proprietor, "muft be *prefumed* by the court, auditors, or commiffioners, before "whom an account is taken, or a diftribution or partition made, to ufe "in *their own* concerns fuch diligence, as is commonly ufed by *all prudent men*; that it is a violation of *good faith* for any man to take lefs "care of another's property, which has been intrufted to him, *than of his own*; that, confequently, the author of the new fyftem demands "no more of a *partner* or a *joint-owner* than of a *depofitary*, who is bound "to keep the goods depofited *as he keeps his own*; which is directly "repugnant to the indifputable and undifputed fenfe of the law *Contractus*."

I cannot learn whether M. LE BRUN ever publifhed a reply, but am inclined to believe that his fyftem has gained very little ground in *France*, and that the old interpretation continues univerfally admitted on the continent both by theorifts and practifers.

Nothing material can be added to POTHIER's argument, which, in my humble opinion, is unanfwerable; but it may not be wholly ufelefs to fet down a few general remarks on the controverfy: particular obfervations might be multiplied without end.

The only *effential* difference between the fyftems of GODEFROI and LE BRUN relates to the *two* contracts, which follow the much-difputed claufe; for the *Swifs* lawyer makes the partner and co-proprietor anfwerable

able for *ordinary* neglect, and the *French* advocate demands no more from them than *common honesty:* now, in this respect, the error of the *second* system has been proved to demonstration; and the author of it himself confesses ingenuously, that the other part of it fails in the article of *Marriage-portions* *.

In regard to the division of neglect and care into *three* degrees or *two*, the dispute appears to be merely verbal; yet, even on this head, LE BRUN seems to be self-confuted: he begins with engaging to prove "that "only *two* degrees of fault are distinguished by the laws of *Rome*," and ends with drawing a conclusion, that they acknowledge but *one* degree: now, though this might be only a slip, yet the whole tenor of his book establishes *two* modes of *diligence*, the *omissions* of which are *as many* neglects; exclusively of *gross* neglect, which he likewise admits, for the *culpa levissima* only is that, which he repudiates. It is true, that he gives no epithet or name to the omission of his *second* mode of care; and, had he searched for an epithet, he could have found no other than *gross*; which would have demonstrated the weakness of his whole system †.

The disquisition amounts, in fact, to this: from the barrenness or *poverty*, as LUCRETIUS calls it, of the *Latin* language, the single word CULPA includes, as a generick term, various degrees or shades of *fault*, which are sometimes distinguished by epithets, and sometimes left without any distinction; but the *Greek*, which is rich and flexible, has a term expressive of almost every shade, and the translators of the law *Contractu* actually use the words ῥᾳθυμία and ἀμέλεια, which are by no means synonymous, the former implying a certain *easiness of mind* or *remissness of attention*, while the second imports a higher and more culpable degree

* See p. 71. *note*; and p. 126. † See pages 32. 73. 74. 149.

of

of *negligence* *. This obſervation, indeed, ſeems to favour the ſyſtem of GODEFROI; but I lay no great ſtreſs on the mere words of the tranſlation, as I cannot perſuade myſelf, that the *Greek* juriſts under BASILIUS and LEO were perfectly acquainted with the niceties and genuine purity of their language; and there are invincible reaſons, as, I hope, it has been proved, for rejecting all ſyſtems but that, which POTHIER has recommended and illuſtrated.

I come now to the laws of our own country, in which the ſame diſtinctions and the ſame rules, notwithſtanding a few claſhing authorities, will be found to prevail; and here I might proceed chronologically from the oldeſt *Year-book* or *Treatiſe* to the lateſt adjudged *Caſe*; but, as there would be a moſt unpleaſing dryneſs in that method, I think it better to examine ſeparately every diſtinct *ſpecies* of bailment, obſerving at the ſame time, under each head, a kind of hiſtorical order. It muſt have occurred to the reader, that I might eaſily have taken a wider field, and have extended my inquiry to every poſſible caſe, in which a man *poſſeſſes for a time the goods of another*; but I choſe to confine myſelf within certain limits, leſt, by graſping at too vaſt a ſubject, I ſhould at laſt be compelled, as it frequently happens, by accident or want of leiſure, to leave the whole work unfiniſhed: it will be ſufficient to remark, that the rules are in general the ſame, by whatever means the goods *are legally* in the hands of the poſſeſſor, whether by delivery from the owner, which is a proper *bailment*, or from any other perſon, by finding †, or in conſequence of ſome diſtinct contract.

* *Baſilica*, 2, 3. 23. See *Domoſth.* 3 Phil. *Reiſke's* edit. I. 112. 3. For *leviſſima culpa*, which occurs but once in the whole body of *Roman* law, ῥᾳθυμία ſeems the proper word in *Greek*; and it is actually ſo uſed in the *Baſilica*, 60. 3. 5. where mention is made of the *Aquilian* law, *in quâ*, ſays ULPIAN, *et leviſſima culpa venit*. D. 9. 2. 44.

† Doct. and Stud. dial. 2. ch. 38. Lord Raym. 909. 917. See Ow. 141. 1 Leon. 224. 1 Cro. 219. *Mulgrave* and *Ogden*.

Sir

Sir JOHN HOLT, whom every *Engliſhman* ſhould mention with reſpect, and from whom no *Engliſh* lawyer ſhould venture to diſſent without extreme diffidence, has taken a comprehenſive view of this whole ſubject in his judgment on a celebrated caſe, which ſhall ſoon be cited at length; but, highly as I venerate his deep learning and ſingular ſagacity, I ſhall find myſelf conſtrained, in ſome few inſtances, to differ from him, and ſhall be preſumptious enough to offer a correction or two in part of the doctrine, which he propounds in the courſe of his argument *.

His diviſion of bailments into *ſix* ſorts appears, in the firſt place, a little inaccurate; for, in truth, his *fifth* ſort is no more than a branch of his *third*, and he might, with equal reaſon, have added a *ſeventh*, ſince the fifth is capable of another ſubdiviſion. I acknowledge, therefore, but *five* ſpecies of bailment; which I ſhall now enumerate and define, with all the *Latin* names, one or two of which lord HOLT has omitted. 1. DEPOSITUM, which is a naked bailment, without reward, of goods to be *kept* for the bailor. 2. MANDATUM, or *commiſſion*; when the mandatary undertakes, without recompence, to *do ſome act* about the things bailed, or ſimply to *carry* them; and hence Sir HENRY FINCH divides bailment into *two* ſorts, to *keep*, and to *employ* †. 3. COMMODATUM, or *loan for uſe*; when goods are bailed, without pay, to be *uſed* for a certain time by the bailee. 4. PIGNORI ACCEPTUM; when a thing is bailed by a debtor to his creditor in *pledge*, or as a ſecurity for the debt. 5. LOCATUM, or *hiring*, which is always for *a reward*; and this bailment is either, 1. *locatio rei*, by which the hirer gains the temporary uſe of *the thing*; or, 2. *locatio operis faciendi*, when *work* and *labour*, or *care* and *pains*, are to be performed or beſtowed on the thing delivered; or, 3. *locatio operis mercium vehendarum*, when goods are

* Lord Raym. 912.

† Law, b. 2. ch. 18.

bailed

bailed for the purpose of being *carried* from place to place, either to a *publick* carrier, or to a *private* person.

I. The most ancient case, that I can find in our books, on the doctrine of DEPOSITS (there were others, indeed, a few years earlier, which turned on points of pleading), was adjudged in the eighth of Edward II. and is abridged by FITZHERBERT*. It may be called BONION's case, from the name of the plaintiff, and was, in substance, this: An action of detinue was brought for *seals*, *plate*, and *jewels*, and the defendant pleaded, "that the plaintiff had bailed to him a chest *to be kept*, which "chest was *locked*; that the bailor himself took away the key, *without* "*informing the bailee of the contents*; that robbers came in the NIGHT, "*broke open the defendant's chamber*, and carried off the chest into the "fields, where they forced the lock, and took out the *contents*; that "the defendant was robbed at the same time of his own goods." The plaintiff replied, "that the jewels were delivered, in a chest *not locked*, "to be restored at the pleasure of the bailor," and *on this*, it is said, *issue was joined*.

Upon this case lord HOLT observes, "that he cannot see, why the "bailee should not be charged with goods *in* a chest as well as with "goods *out of* a chest; for," says he, "the bailee has as little power "over them, as to any benefit that he might have from them, and as "great power to defend them in one case as in the other †." The very learned judge was dissatisfied, we see, with Sir EDWARD COKE's reason, "that, when the jewels were locked up in a chest, the bailee "was not, in fact, trusted with them ‡." Now there was a diversity of opinion, upon this very point, among the greatest lawyers of *Rome*; for "it was a question, whether, if a box sealed up had been deposited,

* Mayn. Edw. II. 275. Fitz. Abr. *tit.* Detinue, 59. † Lord Raym. 914. ‡ 4 Rep. 84.

"the

" the box only ſhould be demanded in the action, or the clothes, which " it contained, ſhould alſo be ſpecified; and TREBATIUS inſiſts, that " the box only, not the particular contents of it, muſt be ſued for; un- " leſs the things were previouſly ſhewn, and then depoſited: but LABEO " aſſerts, that he, who depoſits the box, depoſits the contents of it; " and ought, therefore, to demand the clothes themſelves. What then, " if the depoſitary *was ignorant of the contents?* It ſeems to make no " great difference, ſince he took the charge upon himſelf; and I am of " opinion, ſays ULPIAN, that, although the box was ſealed up, yet an " action may be brought for what it contained *." This relates chiefly to the form of the libel; but, ſurely, caſes may be put, in which the difference may be very material as to the *defence*. Diamonds, gold, and precious trinkets, ought, *from their nature*, to be kept with peculiar care under lock and key: it would, therefore, be *groſs* negligence in a depoſitary to leave ſuch a depoſit in an open antichamber, and *ordinary* neglect, at leaſt, to let them remain on his table, where they might poſſibly tempt his ſervants; but no man can proportion his care to the *nature* of things, without knowing them: perhaps, therefore, it would be no more than *ſlight* neglect, to leave out of a drawer a box or caſket, which was neither known, nor could juſtly be ſuſpected, to contain diamonds; and DOMAT, who prefers the opinion of TREBATIUS, decides, " that, in ſuch a caſe, the depoſitary would only be obliged to " reſtore the caſket, as it was delivered, without being reſponſible for " the contents of it." I confeſs, however, that, anxiouſly as I wiſh on all occaſions to ſee authorities reſpected, and judgment holden ſacred, BONION's caſe appears to me wholly incomprehenſible; for the defendant, inſtead of having been *groſſly* negligent (which alone could have expoſed him to an action), ſeems to have uſed at leaſt *ordinary* diligence; and, after all, the loſs was occaſioned by a *burglary*, for

* D. 16. 3. 1. 41.

which

which no bailee can be reſponſible without a very ſpecial undertaking. The plea, therefore, in this caſe was good, and the replication, idle; nor could I ever help ſuſpecting a miſtake in the laſt words *alii quòd non*; although RICHARD DE WINCHEDON, or whoever was the compiler of the *table* to this Year-book, makes a diſtinction, that, "if jewels be "bailed to me, and *I put them* into a caſket, and *thieves rob me of them* "*in the night-time*, I am anſwerable; not, if they be *delivered* to me in "a cheſt *ſealed up*;" which could never have been law; for the next oldeſt caſe, in the book of *Aſſiſe*, contains the opinion of chief juſtice THORPE, that "a general bailee *to keep* is not reſponſible, *if the* "*goods be ſtolen*, without his *groſs* neglect*;" and it appears, indeed, from FITZHERBERT, that the party was driven to this iſſue, "whether "the goods were taken away by *robbers*."

By the *Moſaick* inſtitutions, "if a man delivered to his neighbour "MONEY OF STUFF *to keep*, and it was *ſtolen* out of his houſe, and the "thief could not be found, the maſter of the houſe was to be brought "before the judge, and to be diſcharged, if he could ſwear, that he had "not *put his hand* unto his neighbour's goods†," or, as the *Roman* author of the LEX DEI tranſlates it, *Nihil ſe nequiter geſſiſſe*‡; but a diſtinction ſeems to have been made between a ſtealing by *day* and a ſtealing by *night*§; and "if CATTLE were bailed and ſtolen (by *day*, "I preſume), the perſon, who had the care of them, was bound to "make reſtitution to the owner‖;" for which the reaſon ſeems to be, that, when *cattle* are delivered *to be kept*, the bailee is rather a *mandatary* than a depoſitary, and is, conſequently, obliged to uſe a degree of diligence *adequate to the charge:* now ſheep can hardly be ſtolen in the *day-time* without ſome neglect of the ſhepherd; and we find that, when

* 29 Aſſ. 28. Bro. Abr. *tit.* Bailment, pl. 7.

† Exod. xxii. 7, 8.

‡ Lib. 10. De Depoſito. This book is printed in the ſame volume with the *Theodoſian* Code, Paris, 1586.

§ Gen. xxxi. 39.

‖ Exod. xxii. 12.

JACOB,

JACOB, who was, for a long time at leaſt, a bailee of a different ſort, *as he had a reward*, loſt any of the beaſts intruſted to his care, LABAN made him anſwer for them "whether ſtolen by day or ſtolen by "night *."

Notwithſtanding the high antiquity, as well as the manifeſt good ſenſe, of the rule, a contrary doctrine was advanced by Sir EDWARD COKE, in his *Reports*, and afterwards deliberately inſerted in his *Commentary on* LITTLETON, the great reſult of all his experience and learning; namely, "that a depoſitary is reſponſible, if the goods be ſtolen from "him, unleſs he accept them ſpecially *to keep as his own*," whence he adviſes all depoſitaries to make ſuch a ſpecial acceptance †. This opinion, ſo repugnant to natural reaſon and the laws of all other nations, he grounded partly on ſome broken caſes in the Year-books, mere converſations on the bench, or looſe arguments at the bar; and partly on SOUTHCOTE's caſe, which he has reported, and which by no means warrants his deduction from it. As I humbly conceive that caſe to be law, though the doctrine of the learned reporter cannot in all points be maintained, I ſhall offer a few remarks on the pleadings in the cauſe, and the judgement given on them.

SOUTHCOTE declared in detinue, that he had delivered goods to BENNET, *to be by him* SAFELY *kept:* the defendant confeſſed SUCH delivery, but pleaded in bar, that a certain perſon STOLE them out of his poſſeſſion; the plaintiff replied, proteſting that he had not been robbed, that the perſon named in the plea was a SERVANT of the defendant, and demanded judgement; which, on a general demurrer to the replication, he obtained. "The reaſon of the judgement, ſays lord COKE, "was, becauſe the plaintiff had delivered the goods to be SAFELY "kept, and the defendant had taken the charge of them upon himſelf,

* Gen. xxxi. 39.

† 4 Rep. 83. b. 1 Inſt. 89. a. b.

"by

"by accepting them on SUCH a delivery." Had the reporter ſtopped here, I do not ſee what poſſible objection could have been made; but his exuberant erudition boiled over, and produced the frothy conceit, which has occaſioned ſo many reflections on the caſe itſelf; namely, "that *to* KEEP and *to keep* SAFELY are one and the ſame thing;" a notion, which was denied to be law by the whole court in the time of chief juſtice HOLT*.

It is far from my intent to ſpeak in derogation of the great commentator on LITTLETON; ſince it may truly be aſſerted of him, as QUINTILIAN ſaid of CICERO, that *an admiration of his works is a ſure mark of ſome proficiency in the ſtudy of the law*; but it muſt be allowed, that his profuſe learning often ran wild, and that he has injured many a good caſe by the vanity of thinking to improve them.

The pleader, who drew the replication in SOUTHCOTE's caſe, muſt have entertained an idea, that the *blame* was *greater*, if a *ſervant* of the depoſitary ſtole the goods, than if a mere *ſtranger* had purloined them; ſince the defendant ought to have been more on his guard againſt a perſon, who had ſo many opportunities of ſtealing; and it was his own fault, if he gave thoſe opportunities to a man, of whoſe honeſty he was not morally certain: the court, we find, rejected this diſtinction, and alſo held the replication informal, but agreed, that no advantage could be taken on a *general* demurrer of ſuch informality, and gave judgement on the ſubſtantial badneſs of the plea†. If the plaintiff, inſtead of replying, had demurred to the plea in bar, he might have inſiſted in argument, with reaſon and law on his ſide, "that, although a *general* bailee "*to keep* be reſponſible for GROSS neglect *only*, yet BENNET had, by a "*ſpecial* acceptance, made himſelf anſwerable for ORDINARY neglect *at*

* Ld. Raym. 911. *margin*. † 1 Cro. 815.

 "*leaſt*;

"*leaſt*; that it was *ordinary* neglect, to let the goods be *ſtolen* out of his "poſſeſſion, and he had not averred, that they were ſtolen *without his* "*default*; that he ought to have put them into a *ſafe* place, according "to his undertaking, and have kept the key of it himſelf; that the "*ſpecial* bailee was reduced to the claſs of a *conductor operis*, or a work- "man *for hire*; and that a tailor, to whom his employer has delivered "lace for a ſuit of clothes, is bound, if the lace be *ſtolen*, to reſtore the "value of it*." This reaſoning would not have been juſt, if the bailee had pleaded, as in BONION's caſe, that he had been *robbed by violence*, for no degree of *care* can in general prevent an open robbery: *impetûs prædonum*, ſays ULPIAN, *à nullo præſtantur*.

Mr. Juſtice POWELL, ſpeaking of SOUTHCOTE's caſe, which he denies to be law, admits, that, "if a man *does* undertake *ſpecially* to keep "goods SAFELY, that is a warranty, and will oblige the bailee to "keep them ſafely againſt perils, where *he has a remedy over*, but *not* "againſt thoſe where he has *no* remedy over †." One is unwilling to ſuppoſe, that this learned judge had not read lord COKE's report with attention; yet the caſe, which he puts, is preciſely that which he oppoſes, for BENNET *did* undertake "to keep the goods SAFELY;" and, with ſubmiſſion, *the degree of care demanded*, not *the remedy over*, is the true meaſure of the obligation; for the bailee might have his *appeal of robbery*, yet he is not bound to keep the goods againſt *robbers* without a moſt expreſs agreement ‡. This, I apprehend, is all that was meaned by St. GERMAN, when he ſays, "that, if a man *have nothing* for keep-

* "Alia eſt *furti* ratio; id enim *non caſui*, ſed *levi culpæ*, fermè aſcribitur." *Gothofr.* Comm. in L. *Contractus*, p. 145. See D. 17. 2. 52. 3. where ſays the annotator, "Adverſùs *latrones* parùm prodeſt "cuſtodia; adverſùs *furem* prodeſſe poteſt, ſi quis advigilet." See alſo POTH. *Contrat de Louage*, n. 429. and *Contrat de Pret à uſage*, n. 53. So, by juſtice *Cotteſmore*, "Si jeo grante byens a un home a "garder a mon oeps, ſi les byens per *ſon meſgarde* ſont *embles*, il ſera charge a moy de meſmes les byens, "mez s'il ſoit *robbe* de meſmes les byens, il eſt excuſable per le ley." 10 Hen. VI. 21.

† Ld. Raym. 912.

‡ 2 Sho. pl. 166.

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"ing the goods bailed, and promiſe, at the time of the delivery, to re-"ſtore them *ſafe at his peril*, he is not reſponſible for *mere caſualties* *;" but the rule extracted from this paſſage, "that *a ſpecial* acceptance *to* "*keep* SAFELY will not charge the bailee againſt the acts of *wrong-"doers* †," to which purport HOBART alſo and CROKE are cited, is too general, and muſt be confined to acts of *violence*.

I cannot leave this point, without remarking, that a *tenant at will*, whoſe intereſt, when he has it rentfree, the *Romans* called PRECARIUM, ſtands in a ſituation exactly parallel to that of a depoſitary; for, although the contract be for *his benefit*, and, in ſome inſtances, for his benefit *only*, yet he has an *intereſt* in the land till the will is determined, "and, our "law adds, it is the folly of the leſſor, if he do not reſtrain him by a "ſpecial condition:" thence it was adjudged, in the *Counteſs of Shrewſbury's* caſe, "that an action will not lie againſt a tenant at will *generally*, "if the houſe be burned through his neglect ‡;" but, ſays juſtice POWELL, "had the action been founded on a *ſpecial* undertaking, as "that, in conſideration that the leſſor would let him live in the houſe, "he would deliver it up *in as good repair as it then was in*, ſuch an "action would have been maintainable §."

It being then eſtabliſhed, that a bailee of the *firſt* ſort is anſwerable only for a *fraud*, or for *groſs* neglect, which is conſidered as evidence of it, and not for ſuch *ordinary* inattentions as may be compatible with *good faith*, if the depoſitary be himſelf *a careleſs and inattentive* man; a queſtion may ariſe, whether, if proof be given, that he is, in truth, very *thoughtful and vigilant in his own concerns*, he is not bound to reſtitution, if the depoſit be loſt through his neglect, either *ordinary* or *ſlight*; and it ſeems eaſy to ſupport the affirmative; ſince in this caſe the meaſure of

* Doct. and Stud. dial. 2. chap. 38.

† Com. 135. Ld. Raym. 915.

‡ 5 Rep. 13. b.

§ Ld. Raym. 911.

diligence

diligence is *that, which the bailee uſes in his own affairs.* It muſt however be confeſſed, that the character of the individual depoſitary can hardly be an object of judicial diſcuſſion: if he be *ſlightly* or even *ordinarily* negligent in keeping the goods depoſited, the favourable preſumption is, that he is equally neglectful of his own property; but this preſumption, like all others, may be repelled; and, if it be proved, for inſtance, that, his houſe being on fire, he ſaved his own goods, and, having time and power to ſave alſo thoſe depoſited, ſuffered them to be burned, he ſhall reſtore the worth of them to the owner*. If, indeed, he have time to ſave only one of two cheſts, and one be a depoſit, the other his own property, he may juſtly prefer his own; unleſs that contain things of ſmall comparative value, and the other be full of much more precious goods, as fine linen or ſilks; in which caſe he ought to ſave the more valuable cheſt, and has a right to claim indemnification from the depoſitor for the loſs of his own. Still farther; if he commit even a *groſs* neglect in regard to his own goods *as well as* thoſe bailed, by which *both* are loſt or damaged, *he cannot be ſaid to have violated good faith*, and the bailor muſt impute to his own folly the confidence which he repoſed in ſo improvident and thoughtleſs a perſon †.

To this principle, that a depoſitary is anſwerable *only* for *groſs* negligence, there are ſome exceptions.

Firſt, as in SOUTHCOTE's caſe, where the bailee, by a *ſpecial* agreement, has engaged to anſwer for leſs: "Si quid nominatim convenit," ſays the *Roman* lawyer, "vel plus vel minus in ſingulis contractibus, hoc "ſervabitur quod initiò convenit; legem enim contractui dedit ‡;" but the opinion of CELSUS, that an agreement *to diſpenſe with deceit* is void,

* POTH. *Contrat de Dépôt*, n. 29. Stiernh. *de Jure Sueon.* l. 2. c. 5.

† Bract. 99. b. Juſtin. Inſt. l. 3. tit. 15.

‡ L. *Contractus*, 23. D. *de reg. jur.*

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as being contrary to good morals and decency, has the aſſent both of ULPIAN and our *Engliſh* courts*.

Secondly; when a man ſpontaneouſly and officiouſly propoſes to keep the goods of another, *he may prevent the owner from intruſting them with a perſon of more approved vigilance*; for which reaſon *he takes upon himſelf*, according to JULIAN, *the riſk of the depoſit, and becomes reſponſible at leaſt for ordinary neglect, but not for mere caſualties* †.

Where things are depoſited through neceſſity on any ſudden emergence, as a fire or a ſhipwreck, M. LE BRUN inſiſts, "that the depoſitary muſt anſwer for *leſs than groſs* neglect, how careleſs ſoever he "may be in his own affairs; ſince the preceding remark, that *a man, "who repoſes confidence in an improvident perſon, muſt impute any loſs to "his own folly*, is inapplicable to a caſe, where the depoſit was not "optional; and *the law ceaſes with the reaſon of it* ‡;" but that is not the *only* reaſon; and, though it is an additional misfortune, for a man in extreme haſte and deep diſtreſs to light upon a ſtupid or inattentive depoſitary, yet I can hardly perſuade myſelf, that more than perfect *good faith* is demanded in this caſe, although a violation of that faith be certainly more criminal than in other caſes, and was therefore puniſhed at *Rome* by a forfeiture of the double value of the goods depoſited.

In theſe circumſtances, however, a benevolent *offer* of keeping another's property for a time would not, I think, bring the caſe within JULIAN's rule before-mentioned, ſo as to make the perſon offering anſwerable for *ſlight*, or even *ordinary*, negligence; and my opinion is confirmed by the authority of LABEO, who requires no more than *good*

* Doct. and Stud. dial. 2. chap. 38.

† D. 16. 3. 1. 35.

‡ *De la Preſtation des Fautes*, p. 77.

*faith*

*faith* of a *negotiorum geſtor*, when "affectióne coactus, ne bona mea diſ-
"trahantur, negotiis ſe meis obtulerit."

Thirdly; when the bailee, improperly called a *depoſitary*, either *directly* demands and receives a reward *for his care*, or takes the charge of goods *in conſequence of* ſome *lucrative* contract, he becomes anſwerable for *ordinary* neglect; ſince, in truth, he is in both caſes a *conductor operis*, and *lets out* his mental labour at a juſt price: thus, when clothes are left with a man, who is paid for the uſe of his bath, or a trunk with an innkeeper or his ſervants, or with a ferryman, the bailees are as much bound to indemnify the owners, if the goods be loſt or damaged through their want of *ordinary* circumſpection, as if they were to receive a ſtipulated recompenſe *for their attention and pains*; but of this more fully, when we come to the article of *hiring*.

Fourthly; when the *bailee alone* receives advantage from the depoſit, as, if a thing be borrowed on a future event, and depoſited with the intended borrower, until the event happens, becauſe the owner, perhaps, is likely to be abſent at the time, ſuch a depoſitary muſt anſwer even for *ſlight* negligence; and this bailment, indeed, is rather a *loan* than a depoſit, in whatever light it may be conſidered by the parties. Suppoſe, for example, that *Charles*, intending to appear at a maſked ball expected to be given on a future night, requeſts *George* to lend him a dreſs and jewels for that purpoſe, and that *George*, being obliged to go immediately into the country, deſires *Charles* to keep the dreſs till his return, and, if the ball be given in the mean time, to wear it; this ſeems to be a regular *loan*, although the original purpoſe of borrowing be future and contingent.

Since, therefore, the two laſt caſes are not, in ſtrict propriety, *depoſits*, the exceptions to the general rule are reduced to two only; and the ſe-
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cond of them, I conceive, will not be rejected by the *English* lawyer, although I recollect no decision or dictum exactly conformable to the opinion of JULIAN.

Clearly as the obligation to *restore* a deposit flows from the nature and definition of this contract, yet, in the reign of ELIZABETH, when it had been adjudged, consistently with common sense and common honesty, "that an action on the case lay against a man, who had not "performed his promise of redelivering, or delivering over, things "bailed to him," that judgement was *reversed*; and, in the sixth year of JAMES, judgement for the plaintiff was arrested in a case exactly similar *: it is no wonder, that the profession *grumbled*, as lord HOLT says, at so absurb a reversal; which was itself most justly reversed a few years after, and the first decision solemnly established †.

Among the curious remains of *Attick* law, which philologers have collected, very little relates to the contracts, which are the subject of this essay; but I remember to have read of DEMOSTHENES, that he was advocate for a person, with whom *three* men had deposited some valuable utensil, of which they were joint-owners; and the depositary had delivered it to *one* of them, of whose knavery he had no suspicion; upon which the other *two* brought an action, but were nonsuited on their own evidence, that there was a *third* bailor, whom they had not joined in the suit; for, the truth not being proved, DEMOSTHENES insisted, *that his client could not legally restore the deposit, unless all three proprietors were ready to receive it*; and this doctrine was good at *Rome* as well as at *Athens*, when the thing deposited was in its nature incapable of partition: it is also law, I apprehend, in Westminster-hall ‡.

* Yelv. 4. 50. 128. † 2 Cro. 667. *Wheatly* and *Low*.

‡ D. 16. 3. 1. 36. Bro. Abr. *tit*. Bailment, pl. 4.

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The obligation to return a depoſit faithfully was, in very early times, holden ſacred by the *Greeks*, as we learn from the ſtory of GLAUCUS, who, on conſulting the oracle, received this anſwer, "that it was "criminal even *to harbour a thought* of with-holding depoſited goods "from the owners, who claimed them *;" and a fine application of this *univerſal* law is made by an *Arabian* poet contemporary with JUSTINIAN, who remarks, "that life and wealth are only *depoſited* with us by our "creator, and, *like all other depoſits*, muſt in due time be reſtored."

II. Employment by COMMISSION was alſo known to our ancient lawyers; and BRACTON, the beſt writer of them all, expreſſes it by the *Roman* word, *Mandatum*; now, as the very eſſence of this contract is the *gratuitous* performance of it by the bailee, and as the term *commiſſion* is alſo pretty generally applied to bailees, who receive *hire* or *compenſation* for their attention and trouble, I ſhall not ſcruple to adopt the word MANDATE as appropriated *in a limited ſenſe* to the ſpecies of bailment now before us; nor will any confuſion ariſe from the common acceptation of the word in the ſenſe of a judicial command or precept, which is in truth only a *ſecondary* and inaccurate uſage of it. The great diſtinction then between one ſort of *mandate* and a *depoſit* is, that the former *lies in feſance*, and the latter, ſimply *in cuſtody:* whence, as we have already intimated, a difference often ariſes between the degrees of care demanded in the one contract and in the other; for, the mandatary being conſidered as having engaged himſelf, to uſe *a degree of diligence and attention adequate to the performance of his undertaking*, the omiſſion of ſuch diligence may be, according to the nature of the buſineſs, either *ordinary*, or *ſlight*, neglect; although a bailee of this ſpecies ought regularly to be anſwerable only for a violation of *good faith*. This is the common doctrine taken from the law of ULPIAN; but there ſeems, in reality, to be no exception in the preſent caſe from the general rule; for,

* Herod. VI. 86. Juv. *Sat.* XIII. 199.

ſince

ſince *good faith* itſelf obliges every man *to perform his actual engagements*, it of courſe obliges the mandatary to exert himſelf in proportion to the exigence of the affair in hand, and neither to *do* any thing, how minute ſoever, by which his employer may ſuſtain damage, nor *omit* any thing, however inconſiderable, which the nature of the act requires *: nor will a want of ability to perform the contract be any defence for the contracting party; for, though the law *exacts no impoſſible things*, yet it may juſtly require, that every man ſhall know his own ſtrength, before he undertakes to do an act, and that, if he delude another by falſe pretenſions to ſkill, he ſhall be reſponſible for any injury, that may be occaſioned by ſuch deluſion. If, indeed, an unſkilful man yield to the preſſing inſtances of his friend, who could not otherwiſe have his work performed, and engage reluctantly in the buſineſs, no higher degree of diligence can be demanded of him than a fair exertion of his capacity.

It is almoſt needleſs to add, that a mandatary, as well as a depoſitary, may bind himſelf by a *ſpecial* agreement to be anſwerable even for caſualties; but that neither the one nor the other can exempt himſelf by any ſtipulation from reſponſibility for *fraud*, or, its equivalent, *groſs* neglect.

A diſtinction ſeems very early to have been made in our law between the *non*feſance, and the *mis*feſance, of a *conductor operis*, and, by equal reaſon, of a mandatary; or, in other words, between a total failure of performing an executory undertaking and a culpable neglect in executing it; for, when an action on the caſe was brought againſt a carpenter, who, having undertaken to build a new houſe for the plaintiff within a certain time, *had not built it*, the court gave judgment of nonſuit; but agreed, that, if the defendant had built the houſe negligently and ſpoiled the timber, an action againſt him would have been maintainable †. However, in a ſubſequent reign, when a ſimilar action was commenced

* Lord Raym. 910.

† Yearb. 11 Hen. IV. 33.

againſt one WATKINS for *not building* a mill according to his undertaking, there was a long converſation between the judges and the bar, which chief juſtice BABINGTON at length interrupted by ordering the defendant's counſel either to plead or to demur; but ſerjeant ROLF choſe to plead ſpecially, and iſſue was taken on a *diſcharge* of the agreement*. Juſtice MARTIN objected to the action, becauſe no tort was alledged; and he perſiſted warmly in his opinion, which ſeems not wholly irreconcilable to that of his two brethren; for in the caſes, which they put, a ſpecial injury *was* ſuppoſed to be occaſioned by the non-performance of the contract.

Authority and reaſon both convince me, that MARTIN, into whoſe opinion the reporter recommends an inquiry, was wrong in his objection, if he meaned, as juſtice COKAIN and the chief juſtice ſeem to have underſtood him, that no ſuch action would lie for *non*feſance, even *though ſpecial damage had been ſtated.* His argument was, that the action before them *founded in covenant* merely, and required a ſpecialty to ſupport it; but that, if the covenant had been changed into a *tort*, a good writ of treſpaſs on the caſe might have been maintained: he gave, indeed, an example of *mis*feſance, but did not controvert the inſtances, which were given by the other judges.

It was not alledged in either of the caſes juſt cited, that the defendant was to receive *pay* for the feſance of his work; but, ſince both defendants were deſcribed as *actually in trade*, it was not perhaps intended, that they were to work *for nothing:* I cannot however perſuade myſelf, that there would have been any difference, had the promiſes been purely *gratuitous*, and had a ſpecial injury been cauſed by the breach of them. Suppoſe, for inſtance, that *Robert's* corn-fields are ſurrounded by a ditch or trench, in which the water from a certain ſpring uſed

* Yearb. 3 Hen. VI. 36. b. 37. a. *Stath.* Abr. tit. *Accions ſur le cas*, pl. 20.

to

to have a free courfe, but which has of late been obftructed by foil and rubbifh; and that, *Robert* informing his neighbour *Henry* of his intention fpeedily to clear the ditch, *Henry* offers and undertakes immediately to remove the obftruction and repair the banks *without reward*, he having bufinefs of the fame kind to perform on his own grounds: if, in this cafe, *Henry* neglect to do the work undertaken, "and the water, not having its natural courfe, overflow the fields of "*Robert* and fpoil his corn," may not *Robert* maintain his action on the cafe? Moft affuredly; and fo in a thoufand inftances of proper bailments, that might be fuppofed; where a juft reliance on the promife of the defendant prevented the plaintiff from employing another perfon, and was confequently the caufe of the lofs, which he fuftained *; for it is, as it ought to be, a general rule, that, for every *damnum injuriâ datum*, an action of fome fort, which it is the province of the pleader to advife, may be maintained; and, although the *gratuitous* performance of an act be a *benefit* conferred, yet, according to the juft maxim of PAULUS, *Adjuvari nos, non decipi, beneficio oportet* †: but the *fpecial* damage, not the affumption, is the caufe of *this* action; and, if *notice* be given by the mandatary, *before any damage incurred, and while another perfon may be employed*, that he cannot perform the work, no procefs of law can enforce the performance of it.

A cafe in BROOK, made complete from the Year-book, to which he refers, *feems* directly in point; for, by chief juftice FINEUX, *it had been adjudged*, that, "if a man affume to build a houfe for me by a certain "day, and do not build it, *and I fuffer damage by his nonfefance*, I fhall "have an action on the cafe, as well as if he had *done it amifs*:" but it is *poffible*, that FINEUX might fuppofe a confideration, though none be mentioned ‡.

* Yearb. 19. Hen. VI. 49. † D. 13. 6. 17. 3. ‡ Bro. Abr. *tit.* Action fur le Cafe, 72.

Actions

Actions on this contract are, indeed, very uncommon, for a reason not extremely flattering to human nature; because it is very uncommon to undertake any office of trouble *without compensation*; but, whether the case really happened, or the reward, which has actually been stipulated, was omitted in the declaration, the question, "whether a man "was responsible for damage to certain goods occasioned by his negli-"gence in performing a GRATUITOUS promise," came before the court, in which lord HOLT presided, so lately as the second year of queen ANNE; and a point, which the first elements of the *Roman* law have so fully decided, that no court of judicature on the continent would suffer it to be debated, was thought in ENGLAND *to deserve*, what it certainly received, *very great consideration* *.

The case was this: BERNARD had assumed *without pay* safely to remove several casks of brandy from one cellar, and lay them down *safely* in another, but managed them so negligently, that one of the casks was staved. After the general issue joined, and a verdict for the plaintiff COGGS, a motion was made in arrest of judgement on the irrelevancy of the declaration, in which it was neither alledged, that the defendant was to have *any recompense for his pains*, nor that he was a *common porter*: but the court were unanimously of opinion, that the action lay; and, as it was thought a matter of great consequence, each of the judges delivered his opinion separately.

The chief justice, as it has before been intimated †, pronounced a clear, methodical, elaborate argument; in which he distinguished bailments into *six* sorts, and gave a history of the principal authorities concerning each of them. This argument is justly represented by my learned friend, the annotator *on the First Institute*, as "a most masterly

* Ld. Raym. 909—920. 1 Salk. 26. Com. 133. Farr. 13. 131. 528.

† P. 620.

"view

"view of the whole ſubject of bailment*;" and, if my little work be conſidered merely as a commentary on it, the ſtudent may perhaps think, that my time and attention have not been unuſefully beſtowed.

For the deciſion of the principal caſe, it would have been ſufficient, I imagine, to inſiſt, that the point was *not new*, but had already been determined; that the writ in the REGISTER, called, in the ſtrange dialect of our forefathers, *De pipâ vini cariandâ*†, was not ſimilar, but identical; for, had the reward been the *eſſence* of the action, it muſt have been inſerted in the writ, and nothing would have been left for the declaration but the ſtating of the day, the year, and other circumſtances; of which RASTELL exhibits a complete example in a writ and declaration for *negligently and improvidently planting a quickſet hedge*, which the defendant had promiſed to raiſe, *without any conſideration alledged*; and iſſue was joined on a traverſe of the negligence and improvidence‡. How any anſwer could have been given to theſe authorities, I am at a loſs even to conceive: but, although it is needleſs to prove the ſame thing twice, yet other authorities, equally unanſwerable, were adduced by the court, and ſupported with reaſons no leſs cogent; for *nothing*, ſaid Mr. Juſtice POWELL emphatically, *is law, that is not reaſon*; a maxim, in theory excellent, but in practice dangerous, as many rules, true in the abſtract, are falſe in the concrete; for, ſince the reaſon of TITIUS may, and frequently does, differ from the reaſon of SEPTIMIUS, no man, who is not a lawyer, would ever know how to act, and no man, who is a lawyer, would in many inſtances know what to adviſe, unleſs courts were bound by *authority*, as firmly as the pagan deities were ſuppoſed to be bound by the decrees of fate.

* Hargr. Co. Litt. 89. b. n. 3. The profeſſion muſt lament the neceſſary ſuſpenſion of this valuable work.

† Reg. Orig. 110. a. ſee alſo 110. b. *De equo infirmo ſanando*, and *De columbari reparando*.

‡ Raſt. Entr. 13. b.

Now

Now the *reaſon* aſſigned by the learned judge for the caſes in the *Regiſter* and *Year-books*, which were the ſame with COGGS and BERNARD, namely, " that the party's SPECIAL *aſſumpſit* and undertaking " obliged him *ſo* to do the thing, that the bailor came to no damage by " his neglect," ſeems to intimate, that the omiſſion of the words *ſalvò et ſecurè* would have made a difference in this caſe, as in that of a *depoſit*; but I humbly contend, that thoſe words are implied, by the nature of a contract which lies *in feſance*, agreeably to the diſtinction with which I began this article. As judgement, indeed, was to be given on the record merely, it was unneceſſary, and might have been improper, to have extended the propoſition beyond the point then before the court; but I cannot think, that the narrowneſs of the propoſition in this inſtance affects the general doctrine, which I have preſumed to lay down; and, in the ſtrong caſe of the ſhepherd, *who had a flock to keep*, which he *ſuffered through negligence to be drowned*, neither a *reward* nor a *ſpecial* undertaking are ſtated*: that caſe, in the opinion of juſtice TOWNSEND, depended upon the diſtinction between a bargain *executed* and *executory*; but I cannot doubt the relevancy of an action in the ſecond caſe, as well as the firſt, *whenever actual damage is occaſioned by the nonfeſance* †.

There ſeems little neceſſity after this, to mention the caſe of POWTUARY and WALTON, the *reaſon* of which applies directly to the preſent ſubject; and, though it may be objected that the defendant was ſtated as a *farrier*, and muſt be *preſumed* to have acted *in his trade*, yet chief juſtice ROLLE intimates no ſuch preſumption; but ſays expreſsly, that " an action on the caſe lies upon this matter, *without alledging any* " *conſideration:* for the *negligence* is the cauſe of action, and not the " *aſſumpſit* ‡."

* Yearb. 2 Hen. VII. 11.

† *Stath. Abr.* tit. *Accions ſur le cas,* pl. 11. By juſtice *Paſton,* " ſi un ferrour face covenant ove " moy de ferrer mon chival, jeo die qe ſil *ne ferra* mon chival, uncore jeo averai accion ſur mon cas, " qar en ſon default peraventure mon chival eſt perie."

‡ 1 Ro. Abr. 10.

A bail-

A bailment without reward to *carry* from place to place is very different from a mandate to *perform a work*; and, there being nothing to take it out of the general rule, I cannot conceive that the bailee is reſponſible for *leſs* than *groſs* neglect, unleſs there be a *ſpecial* acceptance: for inſtance, if *Stephen* deſire *Philip* to carry a diamond-ring from *Briſtol* to a perſon in *London*, and he put it *with bank-notes of his own* into a letter-caſe, out of which it is *ſtolen* at an inn, or ſeized by a robber on the road, *Philip* ſhall not be anſwerable for it; although a *very careful*, or perhaps a *commonly prudent*, man would have kept it in his purſe at the inn, and have concealed it ſomewhere in the carriage; but, if he were to ſecrete *his own notes* with peculiar vigilance, and either leave the diamond in an open room, or wear it on his finger in the chaiſe, I think he would be bound, in caſe of a loſs by ſtealth or robbery, to reſtore the value of it to *Stephen*: every thing, therefore, that has been expounded in the preceding article concerning *depoſits*, may be applied exactly to *this ſort* of bailment, which may be conſidered as a ſubdiviſion of the ſecond ſpecies.

Since we have nothing in theſe caſes analogous to the judgements of *infamy*, which were often pronounced at *Rome* and *Athens*, it is hardly neceſſary to add, what appears from the ſpeech of CICERO for S. ROSCIUS of *Ameria*, that "the ancient *Romans* conſidered a mandatary as "*infamous*, if he broke his engagement, not only by actual *fraud*, but "even by *more than ordinary negligence* *."

As to *exceptions* from the rule concerning the degree of neglect, for which a mandatary is reſponſible, almoſt all, that has been advanced before in the article of *depoſits*, in regard to a ſpecial convention, a

* "In privatis rebus, ſi quis rem *mandatam* non modo *malitioſiùs* geſſiſſet, ſui quæſtûs aut commodi "causâ, verùm etiam *negligentiùs*, cum majores ſummum admiſiſſe dedecus exiſtimabant: itaque *man*-"*dati* conſtitutum eſt judicium, non minùs turpe quàm *furti*." Pro S. Roſc. p. 116. *Glaſg.*

voluntary

voluntary offer, and an intereſt accruing to both parties, or only to the bailee, may be applied to mandates: an undertaker of a work for the benefit of an abſent perſon, and *without his knowledge*, is the *negotiorum geſtor* of the civilians, and the obligation reſulting from his implied contract has been incidentally mentioned in a preceding page.

III. On the third ſpecies of bailment, which is one of the moſt uſual and moſt convenient in civil ſociety, little remains to be obſerved; becauſe our own, and the Roman, law are on this head perfectly coincident. I call it, after the *French* lawyers, *loan for uſe*, to diſtinguiſh it from their *loan for conſumption*, or the MUTUUM of the *Romans*; by which is underſtood the lending of *money*, *wine*, *corn*, and other things, that may be valued by number, weight, or meaſure, and are to be reſtored only in equal value or quantity*: this latter contract, which, according to St. GERMAN, is moſt properly called a *loan*, does not belong to the preſent ſubject; but it may be right to remark, that, as the *ſpecifick* things are not to be returned, the *abſolute* property of them is transferred to the borrower, who muſt bear the loſs of them, if they be deſtroyed by wreck, pillage, fire, or other inevitable misfortune. Very different is the nature of the bailment in queſtion; for a horſe, a chariot, a book, a greyhound, or a fowling-piece, which are lent for the uſe of the bailee, ought to be redelivered *ſpecifically*; and the owner muſt abide the loſs, if they periſh through any accident, which a *very careful and vigilant man* could not have avoided. The negligence of the borrower, who alone receives benefit from the contract, is conſtrued rigorouſly,

* Doct. and Stud. dial. 2. ch. 38. Bract. 99. a. b. In Ld. Raym. 916. where this paſſage from *Bracton* is cited by the chief juſtice, *mutuam* is printed for *commodatam*; but what then can be made of the words *ad* IPSAM *reſtituendam?* There is certainly ſome miſtake in the paſſage, which muſt be very ancient, for the oldeſt MS. that I have ſeen, is conformable to *Tottel's* edition. I ſuſpect the omiſſion of a whole line after the word *precium*, where the manuſcript has a full point; and poſſibly the ſentence omitted may be thus ſupplied from *Juſtinian*, whom *Bracton* copied: "At is, qui *mutuum* accepit, obligatus remanet," ſi forte incendio, &c. *Inſt.* 3. 13. 2.

and,

and, although *ſlight*, makes him liable to indemnify the lender; nor will his incapacity to exert *more than ordinary* attention avail him on the ground of an *impoſſibility*, " which the law, ſays the rule, never de- " mands;" for that maxim relates merely to things *abſolutely* impoſſible; and it was not only very *poſſible*, but very *expedient*, for him to have examined his own capacity of performing the undertaking, before he deluded his neighbour by engaging in it: if the lender, indeed, was not deceived, but perfectly knew the *quality*, as well as age, of the borrower, he muſt be ſuppoſed to have demanded no higher care, than that of which *ſuch* a perſon was capable; as, if *Paul* lend a fine horſe to a raw youth, he cannot exact the ſame degree of management and circumſpection, which he would expect from a riding-maſter or an officer of dragoons*.

From the rule, that a borrower is anſwerable for *ſlight* neglect, compared with the diſtinction before made between ſimple *theft* and *robbery* †, it follows, that, if the borrowed goods be *ſtolen* out of his poſſeſſion by any perſon whatever, he muſt pay the worth of them to the lender, unleſs he prove, that they were purloined notwithſtanding his *extraordinary* care. The example, given by JULIAN, is the firſt and beſt that occurs: *Caius* borrows a ſilver ewer of *Titius*, and afterwards delivers it, that it may be ſafely reſtored, to a bearer of ſuch approved fidelity and warineſs, that no event could be leſs expected than its being ſtolen; if, after all, the bearer be met in the way by ſcoundrels, who contrive to *ſteal* it, *Caius* appears to be wholly blameleſs, and *Titius* has ſuffered *damnum ſine injuriâ*. It ſeems hardly neceſſary to add, that the ſame care, which the bailee is bound to take of the *principal* thing bailed, muſt be extended to ſuch *acceſſory* things, as belong to it, and were delivered with it: thus a man, who borrows a watch, is reſponſible for *ſlight* neglect of the chain and ſeals.

* *Dumoulin*, tract. *De eo quod intereſt*, n. 185.

† See p. 626. and note *.



Although

Although the laws of *Rome*, with which thofe of *England* in this refpect agree, moft exprefsly decide, that a borrower, ufing more than ordinary diligence, *fhall not be chargeable, if there be a force which he cannot refift**, yet PUFENDORF employs much idle reafoning, which I am not idle enough to tranfcribe, in fupport of a new opinion; namely, " that the borrower ought to indemnify the lender, if the goods lent be " deftroyed by fire, fhipwreck, or other inevitable accident, and *without* " *his fault*, unlefs *his own* perifh with them:" for example, if *Paul* lend *William* a horfe worth thirty guineas to ride from *Oxford* to *London*, and *William* be attacked on a heath in that road by highwaymen, who kill or feize the horfe, he is obliged, according to PUFENDORF and his annotator, to pay thirty guineas to *Paul*. The juftice and good fenfe of the contrary decifion are evinced beyond a doubt by M. POTHIER, who makes a diftinction between thofe cafes, where the loan was the *occafion* merely of damage to the lender, who might in the mean time have fuftained a lofs from other accidents, and thofe, where the loan was the fole efficient *caufe* of his damage †; as if *Paul*, having *lent* his horfe, fhould be forced in the interval by fome preffing bufinefs to *hire* another for himfelf; in this cafe the borrower ought, indeed, to pay for the hired horfe, unlefs the lender had voluntarily fubmitted to bear the inconvenience *caufed* by the loan; for, in this fenfe and in this inftance, *a benefit conferred fhould not be injurious to the benefactor*. As to a condition *prefumed* to be impofed by the lender, that he would not abide by any lofs *occafioned* by the lending, it feems the wildeft and moft unreafonable of prefumptions: if *Paul* really intended to impofe fuch a condition, he fhould have declared his mind; and I perfuade myfelf, that *William* would have declined a favour fo hardly obtained.

Had the borrower, indeed, been imprudent enough to leave the high

* D. 44. 7. 1. 4. Ld. Raym. 916.

† Poth. *Prêt à Ufage*, n. 55. *Puf.* with *Barbeyrac's* notes, B. 5. C. 4. § 6.

road

road and paſs through ſome thicket, where robbers might be ſuppoſed to lurk, or had he travelled in the dark at a very unſeaſonable hour, and had the horſe, in either caſe, been taken from him or killed, he muſt have indemnified the owner; for *irreſiſtible force* is no excuſe, if a man put himſelf in the way of it by his own raſhneſs. This is nearly the caſe, cited by *St. German* from the *Summa Roſella*, where a *loan* muſt be meaned, though the word *depoſitum* be erroneouſly uſed *; and it is there decided, that, if the borrower of a horſe will imprudently ride by *a ruinous houſe in manifeſt danger of falling*, and part of it actually fall on the horſe's head, and kill him, the lender is entitled to the price of him; but that, if the houſe were *in good condition* and *fell* by the violence of a ſudden hurricane, the bailee ſhall be diſcharged. For the ſame, or a ſtronger, reaſon, if *William*, inſtead of coming to *London*, for which purpoſe the horſe was lent, go towards *Bath*, or, having borrowed him for a week, keep him for a month, he becomes reſponſible for any *accident*, that may befall the horſe in his journey to *Bath*, or after the expiration of the week †.

Thus, if *Charles*, in a caſe before put ‡, wear the maſked habit and jewels of *George* at the ball, for which they were borrowed, and be *robbed* of them in his return home at the uſual time and by the uſual way, he cannot be compelled to pay *George* the value of them; but it would be otherwiſe, if he were to go with the jewels from the theatre to a gaming-houſe, and were there to loſe them by any caſualty whatever. So, in the inſtance propoſed by GAIUS in the digeſt, if ſilver utenſils be lent to a man for the purpoſe of entertaining a party of friends at ſupper *in the metropolis*, and he carry them *into the country*, there can be no doubt of his obligation to indemnify the lender, if the plate be loſt by accident however irreſiſtible.

* *Doct.* and *Stud.* where before cited. † Ld. Raym. 915. ‡ P. 630.

There

There are other cafes, in which a borrower is chargeable for *inevitable mifchance*, even when he has not, as he legally may, taken the whole rifk upon himfelf by exprefs agreement. For example, if the houfe of *Caius* be in flames, and he, being able to fecure one thing only, fave an urn of his own in preference to the filver ewer, which he had borrowed of *Titius*, he fhall make the lender a compenfation for the lofs; efpecially if the ewer be the more valuable, and would confequently have been preferred, had he been owner of them both: even if his urn be the more precious, he muft either leave it, and bring away the borrowed veffel, or pay *Titius* the value of that, which he has loft; unlefs the alarm was fo fudden, and the fire fo violent, that no deliberation or felection could be juftly expected, and *Caius* had time only to fnatch up the firft utenfil, that prefented itfelf.

Since opennefs and honefty are the foul of contracts, and fince "a "fuppreffion of truth is often as culpable as an exprefs falfehood," I accede to the opinion of M. POTHIER, that, if a foldier were to borrow a horfe of his friend for a battle expected to be fought the next morning, and were *to conceal from him, that his own horfe was as fit for the fervice*, and if the horfe, fo borrowed, were flain in the engagement, the lender ought to be indemnified; for probably the diffimulation of the borrower induced him to lend the horfe; but, had the foldier openly and frankly acknowledged, *that he was unwilling to expofe his own horfe*, fince, in cafe of a lofs, he was unable to purchafe another, and his friend, neverthelefs, had generoufly lent him one, the lender would have run, as in other inftances, the rifk of the day.

If the bailee, to ufe the *Roman* expreffion, be IN MORA, that is, if *a legal demand* have been made by the bailor, he muft anfwer for any cafualty that happens *after the demand*; unlefs in cafes, where it may be ftrongly prefumed, that the fame accident would have befallen the thing

thing bailed, even if it had been reſtored at the proper time; or, unleſs the bailee have legally tendered the thing, and the bailor have put himſelf *in morâ* by refuſing to accept it: this rule extends of courſe to every ſpecies of bailment.

" Whether, in caſe of a *valued loan*, or, where the goods lent are " *eſtimated at a certain price*, the borrower muſt be conſidered as bound " *in all events* to reſtore either the things lent or the value of them," is a queſtion, upon which the civilians are as much divided, as they are upon the celebrated clauſe in the law *Contractus:* five or ſix commentators of high reputation enter the liſts againſt as many of equal fame, and each ſide diſplays great ingenuity and addreſs in this juridical tournament. D'AVEZAN ſupports the affirmative; and POTHIER, the negative; but the ſecond opinion ſeems the more reaſonable. The word PERICULUM, uſed by ULPIAN, is in itſelf equivocal: it means *hazard* in general, proceeding either from *accident* or from *neglect*; and in this latter ſenſe it appears to have been taken by the *Roman* lawyer in the paſſage, which gave birth to the diſpute. But, whatever be the true interpretation of that paſſage, I cannot ſatisfy myſelf, that, either in the *Cuſtomary Provinces* of FRANCE, or in ENGLAND, a borrower can be chargeable for all events *without his conſent unequivocally given:* if *William*, indeed, had ſaid to *Paul* alternatively, " I promiſe, on my " return to *Oxford*, *either* to reſtore your horſe *or* to pay you thirty " guineas," he muſt *in all events* have performed one part of this diſjunctive obligation *; but, if *Paul* had only ſaid, " the horſe, which I " lend you for this journey, is fairly worth thirty guineas," no more could be implied from thoſe words, than a deſign of preventing any future difficulty about the price, if the horſe ſhould be killed or injured through an omiſſion of that *extraordinary* diligence, which the nature of the contract required.

* Palm. 551.

Beſides

Befides the *general* exception to the rule concerning the degrees of neglect, namely, *Si quid convenit vel plus vel minus*, another is, where goods are lent for a ufe, in which the lender has *a common intereft* with the borrower: in this cafe, as in other bailments *reciprocally* advantageous, the bailee can be refponfible for no more than *ordinary* negligence; as, if *Stephen* and *Philip* invite fome common friends to an entertainment prepared at their joint expence, for which purpofe *Philip* lends a fervice of plate to his companion, who undertakes the whole management of the feaft, *Stephen* is obliged only to take *ordinary* care of the plate; but this, in truth, is rather the innominate contract *do ut facias*, than a proper *loan*.

Agreeably to this principle, it muft be decided, that, if goods be lent for the *fole* advantage of the *lender*, the borrower is anfwerable for *grofs* neglect only; as, if a paffionate lover of mufick were to lend his own inftrument to a player in a concert, merely to augment his pleafure from the performance; but here again, the bailment is not fo much a *loan*, as a *mandate*; and, if the mufician were to play with all due fkill and exertion, but were to break or hurt the inftrument without any malice or very culpable negligence, he would not be bound to indemnify the *amateur*, as he was not in want of the inftrument, and had no particular defire to ufe it. If, indeed, a poor artift, having loft or fpoiled his violin or flute, be much diftreffed by this lofs, and a brother-mufician obligingly, though *voluntarily*, offer to lend him his own, I cannot agree with DESPEISSES, a learned advocate of *Montpellier* and writer on *Roman* law, that the player may be lefs careful of it than any other borrower: on the contrary, he is bound, in confcience at leaft, to raife his attention even to a higher degree; and his negligence ought to be conftrued with rigour.

By the law of MOSES, as it is commonly tranflated, a remarkable diftinction was made between the lofs of borrowed cattle or goods, happening

pening in the *abſence*, or the *preſence*, of the OWNER; for, ſays the divine legiſlator, " if a man borrow aught of his neighbour, and it be hurt or " die, *the owner thereof not being with it*, he ſhall ſurely make it good; " but, if the *owner* thereof *be* with it, he ſhall *not* make it good *:" now it is by no means *certain*, that the original word ſignifies the *owner*, for it *may* ſignify the *poſſeſſor*, and the law *may* import, that the borrower ought not to loſe ſight, when he can poſſibly avoid it, of the thing borrowed; but, if it was intended, that the borrower ſhould always anſwer for caſualties, *except in the caſe*, which muſt rarely happen, of *the owner's preſence*, this exception ſeems to prove, that no caſualties were meaned, but ſuch as *extraordinary* care might have prevented; for I cannot ſee, what difference could be made by the preſence of the owner, if the force, productive of the injury, were wholly irreſiſtible, or the accident inevitable.

An old *Athenian* law is preſerved by DEMOSTHENES, from which little can be gathered on account of its generality and the uſe of an ambiguous word †: it is underſtood by PETIT as relating to guardians, mandataries, and commiſſioners; and it is cited by the orator in the caſe of a guardianſhip. The *Athenians* were, probably, ſatisfied with ſpeaking very generally in their laws, and left their juries, for juries they certainly had, to decide favourably or ſeverely, according to the circumſtances of each particular caſe.

IV. As to the degree of diligence, which the law requires from a *pawnee*, I find myſelf again obliged to diſſent from ſir EDWARD COKE, with whoſe opinion a ſimilar liberty has before been taken in regard to a *depoſitary*; for that very learned man lays it down, that, " if goods be

* Exod. xxii. 14, 15.

† Περὶ ὧν καθυφῆκέ τις, ὁμοίως ὀφλισκάνειν, ὥσπερ ἂν αὐτὸς ἔχῃ. *Reiſke's* edition, 855. 3. Here the verb καθυφιέναι, may imply *ſlight*, or *ordinary*, neglect; or even *fraud*, as *Petit* has rendered it.

" delivered

" delivered to one as a *gage* or *pledge*, and they be *ſtolen*, he ſhall be " diſcharged, becauſe *he hath a property* in them; and, *therefore*, he " ought to keep them *no otherwiſe than his own**": I deny the firſt propoſition, the reaſon, and the concluſion.

Since the bailment, which is the ſubject of the preſent article, is beneficial to the *pawnee* by ſecuring the payment of his debt, *and* to the *pawnor* by procuring him credit, the rule, which natural reaſon preſcribes, and which the wiſdom of nations has confirmed, makes it requiſite for the perſon, to whom a gage or pledge is bailed, to take *ordinary* care of it; and he muſt conſequently be reſponſible for *ordinary* neglect †. This is expreſsly holden by BRACTON; and, when I rely on his authority, I am perfectly aware, that he copied JUSTINIAN almoſt word for word, and that lord HOLT, who makes conſiderable uſe of his treatiſe, obſerves three or four times, " that he was an *old* author ‡"; but, although he had been a civilian, yet he was alſo a great common-lawyer, and never, I believe, adopted the rules and expreſſions of the *Romans*, except when they coincided with the laws of *England* in his time: he is certainly the *beſt* of our juridical claſſicks; and, as to our *ancient* authors, if their doctrine be *not law*, it muſt be left to mere hiſtorians and antiquaries; but, if it remain unimpeached by any later deciſion, it is not only equally binding with the moſt recent law, but has the advantage of being matured and approved by the collected ſagacity and experience of ages. The doctrine in queſtion has the full aſſent of lord HOLT himſelf; who declares it to be "*ſufficient*, if the pawnee uſe " *true*, and *ordinary*, diligence for reſtoring the goods, and that, ſo " doing, he will be indemnified, and, notwithſtanding the loſs, ſhall " reſort to the pawnor for his debt." Now it has been proved, that " a

* 1 Inſt. 89. a. 4 Rep. 83. b.

† Bract. 99. b.

‡ Ld. Raym. 915, 916. 919.

" bailee

" bailee cannot be confidered as ufing *ordinary* diligence, who fuffers " the goods bailed to be taken by *ftealth* out of his cuftody *"; and it follows, that "a pawnee fhall *not* be difcharged, if the pawn be fimply " *ftolen* from him;" but if he be forcibly *robbed* of it *without his fault*, his debt fhall not be extinguifhed.

The paffage in the *Roman* inftitutes, which BRACTON has nearly tranfcribed, by no means convinces M. LE BRUN, that a *pawnee* and a *borrower* are not refponfible for *one and the fame* degree of negligence; and it is very certain, that ULPIAN, fpeaking of the *Actio pignoratitia*, ufes thefe remarkable words: "Venit in *hac* actione et *dolus* et *culpa* UT " in *commodato*, venit et cuftodia; vis major non venit." To folve this difficulty, NOODT has recourfe to a conjectural emendation, and fuppofes UT to have been inadvertently written for AT; but, if this was a miftake, it muft have been pretty ancient, for the *Greek* tranflators of this fentence ufe a particle of fimilitude, not an adverfative: there feems, however, no occafion for fo hazardous a mode of criticifm. ULPIAN has not faid, "*talis* culpa *qualis* in commodato;" nor does the word UT imply an *exact* refemblance: he meaned, that a pawnee was anfwerable for *neglect*, and gave the firft inftance, that occurred, of another contract, in which the party was likewife anfwerable for *neglect*, but left the *fort* or *degree* of negligence to be determined by his *general* rule; conformably to which he himfelf exprefsly mentions PIGNUS among other contracts *reciprocally ufeful*, and diftinguifhes it from COMMODATUM, whence the borrower *folely* derives advantage †.

It is rather lefs eafy to anfwer the cafe in the book of *Affife*, which feems wholly fubverfive of my reafoning, and, if it ftand unexplained, will break the harmony of my fyftem ‡; for there, in an action of

* P. 626. note *. † Before p. 606. ‡ 29 Aff. pl. 28.

detinue for a hamper, which had been bailed by the plaintiff to the defendant, the bailee pleaded, "that it was delivered to him *in gage* "for a certain ſum of money; that he had put it among his other "goods; and that all together had been *ſtolen* from him:" now, according to my doctrine, the plaintiff might have demurred to the plea; but he was *driven* to reply, "that he *tendered* the money before the "*ſtealing*, and that the creditor refuſed to accept it," on which fact iſſue was joined; and the reaſon, aſſigned by the chief juſtice, was, that, "if a man bail goods to me *to keep*, and I put them among "my own, I ſhall not be charged, if they be *ſtolen*." To this caſe I anſwer: firſt, that, if the court really made no difference between a *pawnee* and a *depoſitary*, they were indubitably miſtaken; for which aſſertion I have the authority of BRACTON, lord HOLT, and ST. GERMAN, who ranks the taker of a *pledge* in the ſame claſs with a *hirer* of goods *; next, that in a much later caſe, in the reign of HEN. VI. where a *hiring of cuſtody* ſeems to be meaned, the diſtinction between a *theft* and a *robbery* is taken agreeably to the *Roman* law †; and, laſtly, that, although in the ſtrict propriety of our *Engliſh* language, to *ſteal* is to take *clandeſtinely*, and to *rob* is to ſeize by *violence*, correſponding with the *Norman* verbs *embleer* and *robber*, yet thoſe words are ſometimes uſed inaccurately; and I always ſuſpected, that the caſe in the book of *Aſſiſe* related to a *robbery*, or a taking *with force*; a ſuſpicion confirmed beyond any doubt by the judicious BROOK, who abridges this very caſe with the following title in the margin, "Que ſerra al perde, quant les "biens ſont *robbes* ‡:" and, in a modern work, where the old caſes are referred to, it appears to have been ſettled, in conformity to them and to reaſon, "that if the pawn be laid up, and the pawnee be *robbed*, "he ſhall not be anſwerable §:" but lord COKE ſeems to have uſed the word *ſtolen* in its proper ſenſe, becauſe he plainly compares a pawn with a depoſit.

* Doct. and Stud. *dial* 2. *ch.* 38.

† Before, p. 626. note *.

‡ Abr. *tit.* Bailment, pl. 7.

§ 2 Salk. 522.

If,

If, indeed, the thing pledged be taken *openly* and *violently* through the *fault* of the pledgee, he ſhall be reſponſible for it; and, after a *tender* and *refuſal* of the money owed, which are equivalent to actual *payment*, *the whole property is inſtantly reveſted in the pledgor*, and he may conſequently maintain an action of trover*: it is ſaid in a moſt uſeful work, that by ſuch tender and refuſal the thing pawned "ceaſes to be "a pledge and becomes a *depoſit*†;" but this muſt be an error of impreſſion; for there can never be a *depoſit* without the owner's conſent, and a *depoſitary* would be chargeable only for *groſs* negligence, whereas the pawnee, whoſe ſpecial property is determined by the wrongful detainer, becomes liable *in all poſſible events* to make good the thing loſt, or to relinquiſh his debt‡.

The reaſon, given by Coke for his doctrine, namely, "becauſe the "pawnee has a *property* in the goods pledged," is applicable to every other ſort of bailment, and proves nothing in regard to any *particular* ſpecies; for every bailee has a temporary *qualified* property in the things, of which poſſeſſion is delivered to him by the bailor, and has, therefore, a poſſeſſory action or an appeal in his own name againſt any ſtranger, who may damage or purloin them§. By the *Roman* law, indeed, "even the "poſſeſſion of the depoſitary was holden to be that of the perſon depo-"ſiting;" but with us the general bailee has unqueſtionably a *limited* property in the goods intruſted to his care: he may not, however, *uſe* them on any account without the conſent of the owner, either expreſsly given, if it can poſſibly be obtained, or at leaſt ſtrongly preſumed; and this preſumption varies, as the thing is likely to be better, or worſe, or not at all affected, by uſage; ſince, if *Caius* depoſit a *ſetting-dog* with *Titius*, he can hardly be ſuppoſed unwilling, that the dog ſhould be uſed for partridge-ſhooting, and thus be confirmed in thoſe habits,

* 29 Aſſ. pl. 28. Yelv. 179. *Ratcliff* and *Davis*.

† Law of *Niſi Prius*, 72.

‡ Ld. Raym. 917.

§ Yearb. 21 Hen. VII. 14. b. 15. a.

which

which make him valuable; but, if *clothes* or *linen* be depoſited by him, one can ſcarce imagine, that he would ſuffer them to be worn; and, on the other hand, it may juſtly be inferred, that he would gladly indulge *Titius* in the liberty of uſing the *books*, of which he had the cuſtody, ſince even moderate care would prevent them from being injured. In the ſame manner it has been holden, that the pawnee of goods, which will be *impaired* by uſage, cannot uſe them; but it would be otherwiſe, I apprehend, if the things pawned actually *required* exerciſe and a continuance of habits, as ſporting-dogs and horſes: if they cannot be hurt by being worn, they may be uſed, but *at the peril* of the pledgee; as, if chains of gold, ear-rings, or bracelets, be left in pawn with a lady, and ſhe wear them at a publick place, and be *robbed* of them on her return, ſhe muſt make them good: "if ſhe keeps them in a bag," ſays a learned and reſpectable writer, "and they are *ſtolen*, ſhe ſhall not be charged*;" but the bag could hardly be taken *privately and quietly* without her omiſſion of *ordinary* diligence; and the manner, in which lord HOLT puts the caſe, eſtabliſhes my ſyſtem, and confirms the anſwer juſt offered to the caſe from the Year-book; for, "if ſhe keep the jewels," ſays he, "*locked up* in her cabinet, and her cabinet be *broken open*, and the "jewels taken thence, ſhe will not be anſwerable†." Again; it is ſaid, that, where the pawnee is at any expenſe to maintain the thing given in pledge, as, if it be a horſe or a cow, he may ride the horſe moderately, and milk the cow regularly, by way of compenſation for the charge‡; and this doctrine muſt be equally applicable to a general bailee, who ought neither to be injured nor benefited in any reſpect by the truſt undertaken by him; but the *Roman* and *French* law, more agreeably to principle and analogy, permits indeed both the pawnee and the depoſitary to milk the cows delivered to them, but requires them to account with the reſpective owners for the value of the milk and calves,

* Law of *Niſi Prius*, 72. † Ld. Raym. 917. ‡ Ow. 124.

deducting

deducting the reaſonable charges of their nouriſhment *. It follows from theſe remarks, that lord COKE has aſſigned an inadequate reaſon for the degree of diligence, which is demanded of a pawnee; and the true reaſon is, that the law requires nothing *extraordinary* of him.

But, if the receiver in pledge *were* the only bailee, who had a *ſpecial property* in the thing bailed, it could not be logically inferred, "that, "*therefore*, he ought to keep it merely *as his own*:" for, even if *Caius* have an *abſolute* undivided property in goods, jointly or in common with *Septimius*, he is bound by rational, as well as poſitive, law to take *more* care of them *than of his own*, unleſs he be in fact a prudent and thoughtful manager of his own concerns; ſince every man ought to uſe *ordinary* diligence in affairs, which intereſt *another* as well as himſelf: "*Aliena* negotia," ſays the emperor CONSTANTINE, "*exacto* officio "geruntur †."

The concluſion, therefore, drawn by ſir EDWARD COKE, is no leſs illogical than his premiſſes are weak; but here I muſt do M. LE BRUN the juſtice to obſerve, that the argument, on which his whole ſyſtem is founded, occurred likewiſe to the great oracle of *Engliſh* law; namely, that a perſon, who had a *property* in things committed to his charge, was only obliged to be *as careful of them as of his own* goods; which may be very true, if the ſentence be predicated of a man *ordinarily* careful of his own; and, if that was LE BRUN's hypotheſis, he has done little more than adopt the ſyſtem of GODEFROI, who exacts *ordinary* diligence from a *partner* and a *co-proprietor*, but requires a *higher* degree in eight of the ten preceding contracts.

Pledges for debt are of the higheſt antiquity: they were uſed in very early times by the roving *Arabs*, one of whom finely remarks, "that

* Poth. *Dépôt*, n. 47. *Nantiſſement*, n. 35.

† C. 4. 35. 21.

"the

"the life of man is no more than a *pledge* in the hands of Deſtiny;" and the ſalutary laws of MOSES, which forbade certain implements of huſbandry and a widow's raiment to be given in pawn, deſerve to be imitated as well as admired. The diſtinction between *pledging*, where poſſeſſion is transferred to the creditor, and *hypothecation*, where it remains with the debtor, was originally *Attick*; but ſcarce any part of the *Athenian* laws on this ſubject can be gleaned from the ancient orators, except what relates to bottomry in five ſpeeches of DEMOSTHENES.

I cannot end this article, without mentioning a ſingular caſe from a curious manuſcript preſerved at *Cambridge*, which contains a collection of queries in *Turkiſh*, together with the deciſions or conciſe anſwers of the MUFTI at *Conſtantinople:* it is commonly imagined, that the *Turks* have a tranſlation in their own language of the *Greek* code, from which they have ſupplied the defects of their *Tartarian* and *Arabian* juriſprudence *; but I have not met with any ſuch tranſlation, although I admit the conjecture to be highly probable, and am perſuaded, that their numerous treatiſes on *Mahomedan* law are worthy on many accounts of an attentive examination. The caſe was this: "*Zaid* had left with "*Amru* divers goods in pledge for a certain ſum of money, and ſome "*ruffians*, having entered the houſe of *Amru*, took away his own goods "together with thoſe pawned by *Zaid*." Now we muſt neceſſarily ſuppoſe, that the creditor had by *his own fault* given occaſion to this robbery; otherwiſe we may boldly pronounce, that the *Turks* are wholly unacquainted with the imperial laws of BYZANTIUM, and that their own rules are totally repugnant to natural juſtice; for the party proceeds to aſk, "whether, *ſince the debt became extinct by the loſs of the* "*pledge*, and ſince the goods pawned exceeded in value the amount of "the debt, *Zaid* could legally demand the balance of *Amru*;" to which queſtion the great law-officer of the *Othman* court anſwered with the

* *Duck* de Auth. Jur. Civ. Rom. I. 2. 6.

brevity

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brevity

brevity uſual on ſuch occaſions, OLMAZ, *It cannot be**. This cuſtom, we muſt confeſs, of propoſing caſes both of law and conſcience under *feigned* names to the ſupreme judge, whoſe anſwers are conſidered as ſolemn *decrees*, is admirably calculated to prevent partiality and to ſave the charges of litigation.

V. The laſt ſpecies of bailment is by no means the leaſt important of the five, whether we conſider the infinite convenience and daily uſe of the contract itſelf, or the variety of its branches, each of which ſhall now be ſuccinctly, but accurately, examined.

1. *Locatio*, or *locatio-conductio*, REI, is a contract, by which the hirer gains a tranſient qualified property in the *thing* hired, and the owner acquires an abſolute property in the ſtipend, or price, of the hiring; ſo that, in truth, it bears a ſtrong reſemblance to the contract of *emptio-venditio*, or SALE; and, ſince it is advantageous to *both* contracting parties, the harmonious conſent of nations will be interrupted, and one object of this eſſay defeated, if the laws of *England* ſhall be found, on a fair inquiry, to demand of the hirer a *more than ordinary* degree of diligence. In the moſt recent publication, that I have read on any legal ſubject, it is expreſsly ſaid, "that the hirer is to take *all imaginable* "care of the goods delivered for hire †:" the words *all imaginable*, if the principles before eſtabliſhed be juſt, are too ſtrong for practice even in the ſtrict caſe of *borrowing*; but, if we take them in the mildeſt ſenſe, they muſt imply an *extraordinary* degree of care; and this doctrine, I preſume, is founded on that of lord HOLT in the caſe of COGGS *and* BERNARD, where the great judge lays it down, "that, if goods

* Publ. Libr. Cambr. MSS. Dd. 4. 3. See Wotton, LL. *Hywel Dda*. lib. 2. cap. 2. § 29. *note* x. It may *poſſibly* be the uſage in *Turky* to *ſtipulate* "ut amiſſio pignoris liberet debitorem," as in C. 4. 24. 6.

† Law of *Niſi Prius*, 3d edition corrected, 72.

"are

" are let out for a *reward*, the *hirer* is bound to the UTMOST diligence, " such as the MOST *diligent father of a family* uses *." It may seem bold to controvert so respectable an opinion; but, without insisting on the palpable injustice of making a *borrower* and a *hirer* answerable for precisely the *same* degree of neglect, and without urging, that the point was not then before the court, I will engage to show, by tracing the doctrine up to its real source, that the *dictum* of the chief justice was entirely grounded on a grammatical mistake in the translation of a single *Latin* word.

In the first place, it is indubitable, that his lordship relied *solely* on the authority of BRACTON; whose words he cites at large, and immediately subjoins, " *whence it appears, &c.*" now the words, " talis ab eo desideratur custodia, qualem DILIGENTISSIMUS *paterfamilias* suis rebus " adhibit," on which the whole question depends, are copied exactly from JUSTINIAN †, who informs us in the *proeme* to his Institutes, that his decisions in that work were extracted *principally from the Commentaries of* GAIUS; and the epithet *diligentissimus* is in fact used by this ancient lawyer ‡, *and by him alone*, on the subject of hiring: but GAIUS is remarked for writing with energy, and for being fond of using *superlatives*, where all other writers are satisfied with *positives* §; so that his forcible manner of expressing himself, in this instance as in some others, misled the compilers employed by the Emperor, whose words THEOPHILUS rendered more than literally, and BRACTON transcribed; and thus an epithet, which ought to have been translated *ordinarily* diligent, has been supposed to mean *extremely* careful. By rectifying this mistake, we restore the broken harmony of the *pandects* with the *institutes*, which, together with the *code*, form *one connected work* ||, and, when properly

* Ld. Raym. 916.

† Bract. 62. b. Justin. Inst. 3. 25. 5. where *Theophilus* has ὁ σφόδρα ἐπιμελέστατος.

‡ D. 19. 2. 25. 7.

§ Le Brun, p. 93.

|| Burr. 426.

understood,

underſtood, explain and illuſtrate each other; nor is it neceſſary, I conceive, to adopt the interpretation of M. DE FERRIERE, who imagines, that both JUSTINIAN and GAIUS are ſpeaking only of caſes, which *from their nature* demand *extraordinary* care *.

There is no authority then againſt the rule, which requires of a *hirer* the ſame degree of diligence, that *all prudent men*, that is, *the generality of mankind*, uſe in keeping their own goods; and the juſt diſtinction between *borrowing* and *hiring*, which the *Jewiſh* lawgiver emphatically makes, by ſaying, "*if it be an hired thing, it came for its hire* †," remains eſtabliſhed by the concurrent wiſdom of nations in all ages.

If *Caius* therefore hire a horſe, he is bound to ride it as moderately and treat it as carefully, as any man of *common diſcretion* would ride and treat *his own* horſe; and if, through his negligence, as by leaving the door of his ſtable open at night, the horſe be *ſtolen*, he muſt anſwer for it; but not, if he be *robbed* of it by highwaymen, unleſs by his imprudence he gave occaſion to the robbery, as by travelling at unuſual hours, or by taking an unuſual road: if, indeed, he hire a carriage and any number of horſes, and the owner ſend with them his poſtilion or coachman, *Caius* is diſcharged from all attention to the horſes, and remains obliged only to take ordinary care of the glaſſes and inſide of the carriage, while he ſits in it.

Since the negligence of a ſervant, *acting under his maſter's directions expreſs or implied*, is the negligence of the maſter, it follows, that, if the *ſervant* of *Caius* injure or kill the horſe by riding it immoderately, or, by leaving the ſtable-door open, ſuffer thieves to ſteal it, *Caius* muſt make the owner a compenſation for his loſs ‡; and it is juſt the ſame, if he take a ready-furniſhed lodging, and his gueſts, or ſervants, while they

* *Inſt.* vol. V. p. 138. † Exod. xxii. 15. ‡ Salk. 282. Ld. Raym. 619.

they act under the authority given by him, damage the furniture by the omiſſion of ordinary care. At *Rome* the law was not quite ſo rigid; for POMPONIUS, whoſe opinion on this point was generally adopted, made the maſter liable, only *when he was culpably negligent in admitting careleſs gueſts or ſervants,* whoſe bad qualities he ought to have known *: but this diſtinction muſt have been perplexing enough in practice; and the rule, which, by making the head of a family anſwerable indiſcriminately for the faults of thoſe, whom he receives or employs, compels him to keep a vigilant eye on all his domeſticks, is not only more ſimple, but more conducive to the publick ſecurity, although it may be rather harſh in ſome particular inſtances †. It may here be obſerved, that this is the only contract, to which the *French*, from whom our word *bailment* was borrowed, apply a word of the ſame origin; for the letting of a houſe or chamber for hire is by them called *bail à loyer*, and the letter for hire, *bailleur*, that is, *bailor*, both derived from the old verb *bailler*, to deliver; and, though the contracts, which are the ſubject of this eſſay, be generally confined to *moveable* things, yet it will not be improper to add, that, if *immoveable* property, as an orchard, a garden, or a farm, be letten by parol, with no other ſtipulation than for the price or rent, the leſſee is bound to uſe the ſame diligence in preſerving the trees, plants, or implements, that *every prudent perſon* would uſe, if the orchard, garden, or farm, were his own.

2. *Locatio* OPERIS, which is properly ſubdiviſible into two branches, namely, *faciendi*, and *mercium vehendarum*, has a moſt extenſive influence in civil life; but the principles, by which the obligations of the contracting parties may be aſcertained, are no leſs obvious and rational, than the objects of the contract are often vaſt and important ‡.

If

* D. 19. 2. 11. † Poth. *Louage*, n. 193.

‡ It may be uſeful to mention a nicety of the *Latin* language in the application of the verbs *locare* and *conducere*: the employer, who gives the reward, is *locator operis*, but *conductor operarum*; while the party

If *Titius* deliver ſilk or velvet to a tailor for a ſuit of clothes, or a gem to a jeweller to be ſet or engraved, or timber to a carpenter for the rafters of his houſe, the tailor, the engraver, and the builder, are not only obliged to perform their ſeveral undertakings in a workmanly manner *: but, *ſince they are entitled to a reward*, either by expreſs bargain or by implication, they muſt alſo take *ordinary* care of the things reſpectively bailed to them: and thus, if a horſe be delivered either to an agiſting farmer for the purpoſe of depaſturing in his meadows, or to an hoſtler to be dreſſed and fed in his ſtable, the bailees are anſwerable for the loſs of the horſe, if it be occaſioned by the *ordinary* neglect of themſelves or their ſervants. It has, indeed, been adjudged, that, if the horſe of a gueſt be ſent *to paſture* by *the owner's deſire*, the innholder is not, *as ſuch*, reſponſible for the loſs of him by *theft* or accident †; and, in the caſe of MOSLEY and FOSSET, an action againſt an agiſter for keeping a horſe *ſo negligently that it was ſtolen*, is ſaid to have been held maintainable *only* by reaſon of a *ſpecial* aſſumption ‡; but the caſe is differently reported by ROLLE, who mentions no ſuch reaſon; and, according to him, chief juſtice POPHAM advanced generally, in conformity to the principles before eſtabliſhed, that, " if a man, to whom horſes are bailed for " agiſtment, *leave open the gates of his field*, in conſequence of which " neglect they ſtray and are *ſtolen*, the owner has an action againſt " him:" it is the ſame, if the innkeeper ſend his gueſt's horſe to a meadow *of his own accord*, for he is bound to keep ſafely all ſuch things

party employed, who receives the pay, is *locator operarum*, but *conductor operis*. HEINECC. in *Pand.* par. 3. § 320. So, in *Horace*,

" Tu ſecanda marmora
" *Locas*"—

which the ſtonehewer or maſon *conduxit*.

* 1 Ventr. 268. erroneouſly printed 1 *Vern.* 268. in all the editions of *Bl. Comm.* II. 452. The innumerable multitude of inaccurate or idle references, in our beſt reports and law-tracts, is the bane of the ſtudent and of the practiſer.

† 8 Rep. 32. *Cayle's* caſe.

‡ Mo. 543. 1 Ro. Abr. 4.

as

as his guefts depofit *within his inn*, and fhall not difcharge himfelf by his own act from that obligation; and, even when he turns out the horfe *by order of the owner*, and receives pay for his grafs and care, he is chargeable, furely, for *ordinary* negligence, as *a bailee for hire*, though not *as an innkeeper* by the general cuftom of the realm. It may be worth while to inveftigate the reafons of this *general cuftom*, which in truth means no more than *common law*, concerning innholders *.

Although a ftipend or reward in *money* be the effence of the contract called *locatio*, yet the fame refponfibility for neglect is juftly demanded in any of the *innominate* contracts, or, whenever a valuable confideration of any kind is given or ftipulated. This is the cafe, where the contract *do ut des* is formed by a *reciprocal bailment for ufe*, as if *Robert* permit *Henry* to ufe his *pleafure-boat* for a day, *in confideration* that *Henry* will give him the ufe of his *chariot* for the fame time; and fo in ten thoufand inftances, that might be imagined, of *double bailments:* this too is the cafe, if the *abfolute* property of one thing be given as an equivalent for the *temporary* or limited property of another, as if *Charles* give *George* a brace of pointers for the ufe of his *hunter* during the feafon. The fame rule is applicable to the contract *facio ut facias*, where two perfons agree to perform *reciprocal works*; as if a mafon and a carpenter have each *refpectively* undertaken to build an edifice, and they mutually agree, that the firft fhall finifh all the mafonry, and the fecond all the wood-work, in their refpective buildings; but, if a goldfmith make a bargain with an architect to give him a quantity of wrought plate for building his houfe, this is the contract *do ut facias*, or *facio ut des*; and, in all thefe cafes, the bailees muft anfwer for the omiffion of *ordinary* diligence in preferving the things, with which they are intrufted: fo, when *Jacob* undertook the care of *Laban's* flocks and herds for no lefs a

* Reg. Orig. 105. a. Noy, Max. ch. 43.

reward

reward than his younger daughter, whom he loved ſo paſſionately, *that ſeven years were in his eyes like a few days*, he was bound to be juſt as vigilant, as if he had been paid in ſhekels of ſilver.

Now the obligation is preciſely the ſame, as we have already hinted*, when a man takes upon himſelf the cuſtody of goods *in conſequence and conſideration of another gainful contract*; and, though an innholder be not paid in *money* for ſecuring the traveller's trunk, yet the gueſt *facit ut faciat*, and alights at the inn, not ſolely for his own refreſhment, but alſo that his goods may be ſafe: independently of this reaſoning, the cuſtody of the goods may be conſidered as *acceſſary* to the principal contract, and the money paid for the apartments as extending to the care of the box or portmanteau; in which light Gaius and, as great a man as he, lord Holt, ſeem to view the obligation; for they agree, "that, "although a bargeman and a maſter of a ſhip receive their fare for the "paſſage of travellers, and an innkeeper his pay for the accommodation "and entertainment of them, but have no pecuniary reward for the *mere* "*cuſtody* of the goods belonging to the paſſengers or gueſts, yet they are "obliged to take *ordinary* care of thoſe goods; as a fuller and a mender "are paid for their *ſkill only*, yet are anſwerable, *ex locato*, for *ordinary* "neglect, if the clothes be loſt or damaged †."

In whatever point of view we conſider this bailment, no more is *regularly* demanded of the bailee than the care, which *every prudent man* takes of his own property; but it has long been holden, that an *innkeeper* is bound to reſtitution, if the trunks or parcels of his gueſts, committed to him either perſonally or through one of his agents, be damaged *in his inn*, or *ſtolen out of it*, by *any perſon whatever* ‡; nor ſhall he diſcharge himſelf from this reſponſibility by a refuſal to take any care of the

* P. 629, 630. † D. 4. 9. 5. and 12 Mod. 487. ‡ Yearb. 10 Hen. VII. 26. 2 Cro. 189.

goods,

goods, *becauſe there are ſuſpected perſons in the houſe, for whoſe conduct he cannot be anſwerable**: it is otherwiſe, indeed, if he refuſe admiſſion to a traveller, becauſe he really has no room for him, and the traveller, nevertheleſs, inſiſt upon entering, and place his baggage in a chamber without the keeper's conſent †.

Add to this, that, if he fail to provide honeſt *ſervants* and honeſt *inmates*, according to the confidence repoſed in him by the publick, his negligence in that reſpect is highly culpable, and he ought to anſwer *civilly* for their acts, even if they ſhould *rob* the gueſts, who ſleep in his chambers ‡. Rigorous as this law may ſeem, and hard as it may actually be in one or two particular inſtances, it is founded on the great principle of publick utility, to which all private conſiderations ought to yield; for travellers, who muſt be numerous in a rich and commercial country, are obliged to rely almoſt implicitly on the good faith of innholders, whoſe education and morals are uſually none of the beſt, and who might have frequent opportunities of aſſociating with ruffians or pilferers, while the injured gueſt could ſeldom or never obtain legal proof of ſuch combinations, or even of their *negligence*, if no actual fraud had been committed by them. Hence the Prætor declared, according to POMPONIUS, *his deſire of ſecuring the public from the diſhoneſty of ſuch men*, and by his *edict* gave an action againſt them, if the goods of travellers or paſſengers were loſt or hurt by any means, except *damno fatali*, or by *inevitable accident*; and ULPIAN intimates, that even this ſeverity could not reſtrain them from knaviſh practices or ſuſpicious neglect ||.

In all ſuch caſes, however, it is competent for the innholder to repel the *preſumption* of his knavery or default, by *proving* that he took *ordinary* care, or that the *force*, which occaſioned the loſs or damage, was truly *irreſiſtible*.

* Mo. 78. † Dy. 158. b. 1 And. 29. ‡ 1 Bl. Comm. 430. || D. 4. 9. 1. and 3.

When

When a private man demands and receives a compenſation for the *bare cuſtody* of goods in his warehouſe or ſtore-room, this is *not* properly a *depoſit*, but a *hiring of care and attention:* it may be called *locatio cuſtodiæ*, and might have been made a diſtinct branch of this laſt ſort of bailment, if it had not ſeemed uſeleſs to multiply ſubdiviſions; and the bailee may ſtill be denominated *locator operæ*, ſince the *vigilance and care*, which he *lets out* for pay, are in truth a mental *operation*. Whatever be his appellation, either in *Engliſh* or *Latin*, he is clearly reſponſible, like other intereſted bailees, for *ordinary* negligence; and, although St. GERMAN ſeems to make no difference in this reſpect between *a keeper of goods for hire* and *a ſimple depoſitary*, yet he uſes the word DEFAULT, like the CULPA of the *Romans*, as a generical term, and leaves the *degree* of it to be aſcertained by the rules of law*.

In the ſentence immediately following, he makes a very material diſtinction between the two contracts; for, "if a man, ſays he, have *a certain recompenſe* for the keeping of goods, and promiſe, at the time of "the delivery, *to redeliver them ſafe at his peril*, then he ſhall be charged "with *all chances*, that may befall; but, if he make *that* promiſe, and "*have nothing* for keeping them, he is bound to *no caſualties*, but ſuch "as are wilful, and happen *by his own default:*" now the word PERIL, like *periculum*, from which it is derived, is in itſelf ambiguous, and ſometimes denotes the *riſk* of *inevitable miſchance*, ſometimes the *danger* ariſing from *a want of due circumſpection*; and *the ſtronger ſenſe* of the word *was taken* in the firſt caſe *againſt him, who uttered it*; but, in the ſecond, where the conſtruction is favourable, the *milder* ſenſe was juſtly preferred†. Thus, when a perſon, who, if he were wholly *unintereſted*, would be a *mandatary*, undertakes for a *reward* to perform *any work*, he muſt be conſidered as bound ſtill more ſtrongly, *to uſe a degree of dili-*

* *Doct.* and *Stud.* where before cited.

† See before, p. 626.

gence

*gence adequate to the performance of it:* his obligation muſt be rigorouſly conſtrued, and he would, perhaps, be anſwerable for *ſlight* neglect, where no more could be required of a *mandatary* than *ordinary* exertions. This is the caſe of commiſſioners, factors, and bailiffs, when their undertaking *lies in feſance*, and not ſimply in *cuſtody:* hence, as peculiar care is demanded in removing and raiſing a fine column of granate or porphyry, without injuring the ſhaft or the capital, GAIUS ſeems to exact *more than ordinary* diligence from the undertaker of ſuch a work for a ſtipulated compenſation*. Lord COKE conſiders a factor in the light of a *ſervant*, and thence deduces his obligation; but, with great ſubmiſſion, his *reward* is the true reaſon, and *the nature of the buſineſs* is the juſt meaſure, of his duty †; which cannot, however, extend to a reſponſibility for *mere accident* or *open robbery* ‡; and, even in the caſe of *theft*, a factor has been holden excuſed, when he ſhowed, " that he had *laid* " *up* the goods of his principal in a warehouſe, out of which they were " *ſtolen* by certain malefactors to him unknown ||."

Where *ſkill* is required, as well as *care*, in performing the work undertaken, the bailee for *hire* muſt be ſuppoſed to have engaged himſelf for *a due application of the neceſſary art:* it is his own fault, if he undertake a work above his ſtrength; and all, that has before been advanced on this head concerning a *mandatary*, may be applied with much greater force to a *conductor operis faciendi* §. I conceive, however, that, where the bailor has not been deluded by any but himſelf, and voluntarily employs in one art a man, who openly exerciſes another, his folly has no claim to indulgence; and that, unleſs the bailee make falſe pretenſions, or a *ſpecial* undertaking, no more can fairly be demanded of him than the beſt of his ability**. The caſe, which SADI relates with elegance and humour in his *Guliſtan* or *Roſe-garden*, and which PUFENDORF cites

* D. 19. 2. 7. † 4 Rep. 84. Ld. Raym. 918. ‡ 1 Inſt. 89. a.

|| 1 Vent. 121. *Vere* and *Smith*. § *Spondet*, ſay the *Roman* lawyers, *peritiam artis*. ** P. 633.

with

with approbation*, is not inapplicable to the preſent ſubject, and may ſerve as a ſpecimen of *Mahomedan law*, which is not ſo different from ours, as we are taught to imagine: ‘ A man, who had a diſorder in his ‘ eyes, called on a *farrier* for a remedy; and he applied to them a medi- ‘ cine commonly uſed for *his* patients: the man loſt his ſight, and ‘ brought an action for damages; but the judge ſaid, “ No action lies, “ for, if the complainant had not himſelf been an *aſs*, he would never “ have employed a *farrier*;” and SADI proceeds to intimate, that, “ if a “ perſon will employ a common *mat-maker* to weave or embroider *a fine* “ *carpet*, he muſt impute the bad workmanſhip to his own folly †.”

In regard to the diſtinction before-mentioned between the *non*feſance and the *mis*feſance of a workman ‡, it is *indiſputably* clear, that an action lies in *both* caſes for a reparation in damages, whenever the work was undertaken for a *reward*, either actually paid, *expreſsly* ſtipulated, or, in the caſe of a *common* trader, ſtrongly *implied*; of which BLACKSTONE gives the following inſtance: “If a *builder* promiſes, undertakes, or aſſumes “ to *Caius*, that he will build and cover his houſe within a time limited, “ and fails to do it, *Caius* has an action on the caſe againſt the builder “ for this breach of his expreſs promiſe, and ſhall recover a pecuniary “ ſatisfaction for the injury ſuſtained by ſuch delay ‖.” The learned author meaned, I preſume, a *common* builder, or ſuppoſed a *conſideration* to be given; and for this reaſon I forbore to cite his doctrine as in point on the ſubject of an action for the *non*performance of a *mandatary* §.

* De Jure Nat. et Gent. lib. 5. cap. 5. § 3.

† Roſar. Polit. cap. 7. There are numberleſs tracts in *Arabick, Perſian,* and *Turkiſh*, on every branch of juriſprudence; from the beſt of which it would not be difficult to extract a complete ſyſtem, and to compare it with our own; nor would it be leſs eaſy, to explain in *Perſian* or *Arabick* ſuch parts of our *Engliſh* law, as either coincide with that of the *Aſiaticks*, or are manifeſtly preferable to it.

‡ P. 633, &c. ‖ 3 Comm. 157. § P. 634, 635, 638.

Before we leave this article, it ſeems proper to remark, that every bailee for *pay*, whether *conductor rei* or *conductor operis*, muſt be ſuppoſed to know, that the goods and chattels of his bailor are in *many* caſes *diſtrainable* for rent, if his landlord, who might otherwiſe be ſhamefully defrauded, find them on the premiſſes *; and, as they cannot be diſtrained and ſold without his *ordinary* default *at leaſt*, the owner has a remedy over againſt him, and muſt receive a compenſation for his loſs †: even if a *depoſitary* were to remove or conceal *his own* goods, and thoſe of his depoſitor were to be ſeized for rent-arrere, he would unqueſtionably be bound to make reſtitution; but there is no obligation in the bailee to *ſuggeſt wiſe precautions againſt inevitable accident*; and he cannot, therefore, be obliged *to adviſe inſurance from fire*; much leſs *to inſure* the things bailed without an authority from the bailor.

It may be right alſo to mention, that the diſtinction, before taken in regard to *loans* ‡, between an obligation to reſtore the *ſpecifick* things, and a power or neceſſity of returning *others equal in value*, holds goods likewiſe in the contracts of *hiring* and *depoſiting*: in the firſt caſe, it is a regular *bailment*; in the ſecond, it becomes a *debt*. Thus, according to ALFENUS in his famous law, on which the judicious BYNKERSHOEK has learnedly commented, " if an ingot of ſilver be delivered to " a ſilver-ſmith to make an urn, the *whole* property is transferred, " and the employer is only a *creditor* of metal equally valuable, which " the workman engages to *pay* in a certain ſhape ||:" the ſmith may conſequently apply it to his own uſe; but, if it periſh, even by unavoidable miſchance or irreſiſtible violence, he, as owner of it, muſt abide the loſs, and the creditor muſt have his urn in due time. It would be otherwiſe, no doubt, if the *ſame* ſilver, on account of its

* Burr. 1498. &c. † 3 Bl. Comm. 8. ‡ P. 640, 641.

|| D. 19. 2. 31. Bynk. *Obſ. Jur. Rom.* lib. VIII.

peculiar

peculiar finenefs, or any uncommon metal, according to the whim of the owner, were agreed to be *fpecifically* redelivered in the form of a cup or a ftandifh.

3. *Locatio operis* MERCIUM VEHENDARUM is a contract, which admits of many varieties in *form*, but of none, as it feems *at length* to be fettled, in the *fubftantial* obligations of the bailee.

A *carrier for hire* ought, by the rule, to be refponfible only for *ordinary* neglect; and, in the time of HENRY VIII. it appears to have been generally holden, "that a *common* carrier was chargeable, in cafe of a "lofs by *robbery*, only when he had travelled by *ways dangerous for* "*robbing*, or driven by *night*, or at any *inconvenient hour* *:" but, in the commercial reign of ELIZABETH, it was refolved, upon the fame broad principles of policy and convenience, that have been mentioned in the cafe of *innholders*, "that, if a *common carrier* be *robbed* of the goods "delivered to him, he fhall anfwer for the value of them †."

Now the *reward* or *hire*, which is confidered by fir EDWARD COKE as the reafon of this decifion, and on which the principal ftrefs is often laid in our own times, makes the carrier liable, indeed, for the omiffion of *ordinary* care, but cannot extend to *irrefiftible force*; and, though fome other bailees have a *recompenfe*, as *factors* and *workmen for pay*, yet, even in *Woodliefe's* cafe, the chief juftice admitted, that *robbery* was a good plea for a *factor*, though it was a bad one for a *carrier*: the true ground of that refolution is the *publick employment* exercifed by the carrier, and the danger of his combining with *robbers* to the infinite injury of commerce and extreme inconvenience of fociety ‡.

* Doct. and Stud. where often before cited.

† 1 Inft. 89. a. Mo. 462. 1 Ro. Abr. 2. *Woodliefe* and *Curties*.

‡ Ld. Raym. 917. 12 Mod. 487.

The

The modern rule concerning a *common* carrier is, that "nothing will "excuſe him, except *the act of* GOD, or of *the King's enemies* *;" but a momentary attention to the principles muſt convince us, that this exception is in truth part of the rule itſelf, and that the reſponſibility for a loſs by *robbers* is only an exception to it: a carrier is *regularly* anſwerable for neglect, but not, *regularly*, for damage occaſioned by the attacks of *ruffians*, any more than for *hoſtile* violence, or unavoidable *misfortune*; but the great maxims of policy and good government make it neceſſary to *except* from this rule the caſe of *robbery*, leſt confederacies ſhould be formed between carriers and deſperate villains with little or no chance of detection.

Although the *Act of God*, which the ancients too called Θεοῦ βίαν and *Vim divinam*, be an expreſſion, which long habit has rendered familiar to us, yet perhaps, on that very account, it might be more proper, as well as more decent, to ſubſtitute in its place *inevitable accident*: religion and reaſon, which can never be at variance without certain injury to one of them, aſſure us, that "not a guſt of wind blows, nor a flaſh of "lightning gleams, without the knowledge and guidance of a ſuperin-"tending mind;" but this doctrine loſes its dignity and ſublimity by a technical application of it, which may in ſome inſtances border even upon profaneneſs; and law, which is merely a practical ſcience, cannot uſe terms too popular and perſpicuous.

In a recent caſe of an action againſt a carrier, it was holden to be no excuſe, "that the ſhip was tight, when the goods were placed on "board, but that a rat, by gnawing out the oakum, had made a ſmall "hole, through which the water had guſhed †;" but the true reaſon of this deciſion is not mentioned by the reporter: it was in fact *at leaſt ordinary* negligence, to let a rat do ſuch miſchief in the veſſel; and the

* Law of *Niſi Prius*, 70, 71.

† 1 Wils. part 1. 281. *Dale* and *Hall*.

Roman

*Roman* law has, on this principle, decided, that, "ſi fullo veſtimenta "polienda acceperit, eaque *mures roſerint*, ex locato tenetur, quia *debuit* "*ab hac re cavere* *."

Whatever doubt there may be, among civilians and common-lawyers, in regard to *a caſket, the contents of which are concealed from the* DEPOSITARY †, it ſeems to be generally underſtood, that *a common carrier* is anſwerable for the loſs of a box or parcel, be he ever ſo *ignorant* of its *contents*, or be thoſe contents ever ſo valuable, *unleſs* he make a *special* acceptance ‡: but *groſs fraud and impoſition* by the bailor will deprive him of his action, and if there be proof, that the parties were apprized of each other's intentions, although there was no perſonal communication, the bailee may be conſidered as a *ſpecial* acceptor: this was adjudged in a very modern caſe particularly circumſtanced, in which the former caſes in *Ventris*, *Alleyne*, and *Carthew*, are examined with liberality and wiſdom; but, in all of them, too great ſtreſs is laid on the *reward*, and too little on the important motives of *publick utility*, which alone diſtinguiſh a *carrier* from other *bailees for hire* §.



Though no ſubſtantial difference is aſſignable between carriage by *land* and carriage by *water*, or, in other words, between a *waggon* and a *barge*, yet it ſoon became neceſſary for the courts to declare, as they did in the reign of JAMES I., that a *common hoyman*, like a common *waggoner*, is reſponſible for goods committed to his cuſtody, even if he be *robbed* of them ‖; but the reaſon ſaid to have been given for this judgement, namely, becauſe *he had his hire*, is not the true one; ſince, as we have before ſuggeſted, the *recompenſe* could only make him liable for

* D. 19. 2. 13. 6. † Before, p. 621, 622, 623. ‡ 1 Stra. 145. *Titchburn* and *White*.

§ Burr. 2298. *Gibbon* and *Paynton*. See 1 Vent. 238. All. 93. Carth. 485.

‖ Hob. *ca.* 30. 2 Cro. 330. *Rich* and *Kneeland*. "The *firſt* caſe of the kind, ſaid lord *Holt*, to "be found in our books." 12 Mod. 480.

*temerity*

*temerity* and *imprudence*, as if a bargemaſter were raſhly to ſhoot a bridge, *when the bent of the weather is tempeſtuous*; but not for a *mere caſualty*, as if a hoy in good condition, ſhooting a bridge *at a proper time*, were driven againſt a pier by a ſudden breeze, and overſet by the violence of the ſhock *; nor, by parity of reaſon, for any other force too great to be reſiſted †: the *publick* employment of the *hoyman*, and that *diſtruſt*, which an ancient writer juſtly calls the *ſinew of wiſdom*, are the real grounds of the law's rigour in making ſuch a perſon reſponſible for a loſs by *robbery*.

All, that has juſt been advanced concerning a *land*-carrier, may, therefore, be applied to a *bargemaſter* or *boatman*; but, in caſe of a tempeſt, it may ſometimes happen, that the law of *jetſon* and *average* may occaſion a difference. *Barcroft's* caſe, as it is cited by chief juſtice Rolle, has ſome appearance of hardſhip: "a box of *jewels* had been de-" livered to a ferryman, *who knew not what it contained*, and, a ſudden " ſtorm ariſing in the paſſage, he threw the box into the ſea; yet it was " reſolved, *that he ſhould anſwer for it* ‡:" now I cannot help ſuſpecting, that there was proof in this caſe of *culpable negligence*, and probably the caſket was both *ſmall* and *light* enough, to have been kept longer on board than other goods; for, in the caſe of *Graveſend* barge, cited on the bench by lord Coke, it appears, that the pack, which was thrown overboard in a tempeſt, and for which the bargeman was holden *not anſwerable*, was of great value *and great weight*; although this laſt circumſtance be omitted by Rolle, who ſays only, that the maſter of the veſſel had *no information of its contents* ||.

* 1 Stra. 128. *Amies* and *Stevens*.

† Palm. 548. W. Jo. 159. See the doctrine of *inevitable accident* moſt learnedly diſcuſſed in *Defid. Heraldi* Animadv. in *Salmaſii* Obſerv. in Jus *Att.* et *Rom.* cap. xv.

‡ All. 93.

|| 2 Bulſtr. 280. 2 Ro Abr. 567.

The

The ſubtilty of the human mind, in finding diſtinctions, has no bounds; and it was imagined by ſome, that, whatever might be the obligation of a *bärge*-maſter, there was no reaſon to be equally rigorous in regard to the maſter of a *ſhip*; who, if he carry goods for *profit*, muſt indubitably anſwer for the *ordinary neglect* of himſelf or his mariners, but ought not, they ſaid, to be chargeable for the violence of *robbers:* it was, however, otherwiſe decided in the great caſe of *Mors* and *Slew*, where "eleven perſons armed came on board the ſhip *in the river*, "under pretence of *impreſſing ſeamen*, and forcibly took the cheſts, "which the defendant had engaged to carry;" and, though the maſter was entirely blameleſs, yet ſir MATTHEW HALE and his brethren, having heard both civilians and common-lawyers, and, among them, Mr. HOLT for the plaintiff, determined, on the principles juſt before eſtabliſhed, that the bailor ought to recover*. This caſe was frequently mentioned afterwards by lord HOLT, who ſaid, that "the declaration "was drawn by the greateſt pleader in *England* of his time †."

Still farther: ſince neither the *element*, on which goods are carried, nor the *magnitude* and *form* of the carriage, make any difference in the reſponſibility of the bailee, one would hardly have conceived, that a diverſity could have been taken between a *letter* and any other thing. Our *common* law, indeed, was acquainted with no ſuch diverſity; and a *private* poſt-maſter was preciſely in the ſituation of another carrier; but the ſtatute of CHARLES II. having eſtabliſhed a *general* poſt-office, and taken away the liberty of ſending letters by a *private* poſt ‡, it was thought, that an alteration was made in the obligation of the poſt-maſter *general*; and, in the caſe of *Lane* and *Cotton*, three judges determined, againſt the fixed and well-ſupported opinion of chief juſtice HOLT, "that the poſt-maſter was *not* anſwerable for the loſs of a letter with

* 1 Ventr. 190. 238. Raym. 220. † Ld. Raym. 920.

‡ 12 Cha. II. ch. 35. See the ſubſequent ſtatutes.

"exchequer-

" exchequer-bills in it *:" now this was a caſe of *ordinary* neglect, for the bills were *ſtolen* out of the plaintiff's letter *in the defendant's office* †; and, as the maſter has a great *ſalary* for the diſcharge of his truſt; as he ought clearly to anſwer for the acts of his clerks and agents; as the ſtatute, profeſſedly enacted for *ſafety* as well as *diſpatch*, could not have been intended to deprive the ſubject of any benefit, which he before enjoyed; for theſe reaſons, and for many others, I believe that CICERO would have ſaid, what he wrote on a ſimilar occaſion to TREBATIUS, " Ego tamen SCÆVOLÆ aſſentior ‡." It would, perhaps, have been different *under the ſtatute*, if the poſt had been *robbed*, either by day or by *night*, when there is a neceſſity of travelling, but even that queſtion would have been diſputable; and here I may conclude this diviſion of my eſſay, with obſerving, in the plain but emphatical language of St. GERMAN, " that all the *former* diverſities be granted by ſecondary con-" cluſions derived upon the law of reaſon, *without any ſtatute made in* " *that behalf*; and, peradventure, laws and the concluſions therein be " the more plain and the more open; for *if any ſtatute were made there-* " *in*, I think verily, more doubts and queſtions would ariſe *upon the* " *ſtatute*, than doth now, when they be only argued and judged after the " *common* law ||."

Before I finiſh the *hiſtorical* part of my eſſay, in which I undertook to demonſtrate, " that a perfect harmony ſubſiſted on this intereſting " branch of juriſprudence in the codes of nations *moſt eminent for legal* " *wiſdom*,"

* Carth. 487. 12 Mod. 482.

† In addition to the authorities, before cited, p. 626. note (*), for the diſtinction between a loſs by *ſtealth* and by *robbery*, ſee *Dumoulin*, tract. *De eo quod intereſt*, note 184. and ROSELLA CASUUM, 28. b. This laſt is the book, which *St. German* improperly calls *Summa Roſella*, and by miſquoting which he miſled me in the paſſage concerning *the fall of a houſe*, p. 643. The words of the author, *Trovamala*, are theſe: " Domus tua *minabatur ruinam*; domus corruit, et interficit equum tibi *commodatum*; " certè non poteſt dici caſus fortuitus; quia *diligentiſſimus* reparâſſet domum, vel ibi non habitâſſet; " ſi autem domus *non* minabatur ruinam, ſed *impetu tempeſtatis* validæ corruit, non eſt tibi imputandum."

‡ Epiſt. ad Fam. VII. 22.

|| Doct. *and* Stud. *dial*. 2. *chap*. 38. laſt ſentence.

"*wiſdom**," I cannot forbear adding a few remarks on the inſtitutions of thoſe nations, who are generally called *barbarous*, and who ſeem in many inſtances to have deſerved that epithet: although traces of ſound reaſoning and ſolid judgement appear in moſt of their ordinances.

By the ancient laws of the WISIGOTHS, which are indeed rather obſcure, the "keeper of a horſe or an ox for *hire*, as well as a *hirer for* "*uſe*, was obliged, if the animal *periſhed*, to return another of equal "worth:" the law of the *Baiuvarians* on this head is nearly in the ſame words; and the rule is adopted with little alteration in the capitularies of CHARLEMAGNE and LEWIS *the Pious* †, where the *Moſaick* law before cited concerning a *borrower* may alſo be found ‡. In all theſe codes a *depoſitary* of gold, ſilver, or valuable trinkets, is made chargeable, if they are deſtroyed by *fire*, and *his own* goods periſh *not* with them; a circumſtance, which ſome other legiſlators have conſidered as *concluſive* evidence of groſs neglect or fraud: thus, by the old *Britiſh* tract, called the book of CYNAWG, a perſon, who had been *robbed* of a depoſit, was allowed to clear himſelf by making oath, with compurgators, that he had no concern in the robbery, *unleſs he had ſaved his own goods*; and it was the ſame, I believe, among the *Britons* in the caſe of a loſs by *fire*, which happened without the fault of the bailee; although HOWEL *the Good* ſeems to have been rigorous in this caſe, for the ſake of publick ſecurity ‖. There was one regulation in the *northern* code, which I have not ſeen in that of any other nation: if precious things were depoſited and *ſtolen*, time was given to ſearch for the thief, and, if he could not be found within the time limited, a *moiety* of the value was

* P. 602.

† Lindenbrog, LL. *Wiſigoth.* lib. 5. tit. 5. § 1, 2, 3. and LL. *Baiuvar.* tit. 14. § 1, 2, 3, 4. *Capitul.* lib. 5. § 204.

‡ *Capitul.* lib. 6. § 22. Exod. xxii. 14, 15.

‖ LL. *Hywel Dda*, lib. 3. cap. 4. § 22. and lib. 3. cap. 3. § 40. See alſo *Stiernh.* De Jur. Sveon. p. 256, 257.



to

to be paid by the depoſitary to the owner, " ut damnum ex medio " uterque ſuſtineret *."

Now I can ſcarce perſuade myſelf, that the phraſe uſed in theſe laws, *ſi id perierit*, extends to a periſhing by *inevitable accident*; nor can I think, that the old *Gothick* law, cited by STIERNHOOK, fully proves his aſſertion, that " a depoſitary was reſponſible for *irreſiſtible force*;" but I obſerve, that the military law-givers of the north, who entertained very high notions of good faith and honour, were more ſtrict than the *Romans* in the duties, by which depoſitaries and other truſtees were bound: an exact conformity could hardly be expected between the ordinances of poliſhed ſtates, and thoſe of a people, who could ſuffer diſputes concerning bailments to be decided by *combat*; for it was the Emperor FREDERICK II., who aboliſhed the trial by battle in caſes of conteſted depoſits, and ſubſtituted a more rational mode of proof †.

I purpoſely reſerved to the laſt the mention of the HINDU, or *Indian*, code, which the learning and induſtry of my much-eſteemed friend Mr. HALHED has made acceſſible to *Europeans*, and the PERSIAN tranſlation of which I have had the pleaſure of ſeeing: theſe laws, which muſt *in all times* be a ſingular object of curioſity, are *now* of infinite importance; ſince the happineſs of millions, whom a ſeries of amazing events has ſubjected to a *Britiſh* power, depends on a ſtrict obſervance of them.

It is pleaſing to remark the ſimilarity, or rather identity, of thoſe concluſions, which pure unbiaſſed reaſon in all ages and nations ſeldom fails to draw, in ſuch juridical inquiries as are not fettered and manacled by *poſitive* inſtitution; and, although the rules of the *Pundits* concerning *ſucceſſion* to *property*, the *puniſhment* of *offences*, and the *ceremonies* of *religion*,

* LL. *Wiſigoth*, lib. 5. tit. 5. § 3.

† LL. *Longobard*. lib. 2. tit. 55. § 35. *Conſtit. Neapol.* lib. 2. tit. 34.

*religion*, are widely different from ours, yet, in the great ſyſtem of *contracts* and the common intercourſe between man and man, the POOTEE of the *Indians* and the DIGEST of the *Romans* are by no means diſſimilar*.

Thus, it is ordained by the ſages of *Hinduſtán*, that "a depoſitor "ſhall carefully inquire into the character of his intended depoſitary; "who, if he undertake to keep the goods, ſhall preſerve them with *care* "and *attention*; but ſhall not be bound to reſtore the value of them, if "they be *ſpoiled by unforeſeen accident*, or *burned*, or *ſtolen*; UNLESS he "*conceal* any part of them, that has been ſaved, or unleſs *his own effects* "*be ſecured*, or unleſs the accident happen after his *refuſal* to redeliver "the goods on a demand made by the depoſitor, or while the depoſitary, againſt the nature of the truſt, preſumes to *make uſe* of them:" in other words, "the bailee is made anſwerable for *fraud*, or for *ſuch* "*negligence* as approaches to it †."

So, a *borrower* is declared to be chargeable even for *caſualty* or *violence*, if he fail to return the thing after the completion of the buſineſs, for which he borrowed it; but not, if it be *accidentally* loſt or *forcibly* ſeized, *before* the expiration of the time, or the concluſion of the affair, for which it was lent ‡: in another place, it is provided, that, if a *pledge* be damaged or loſt by *unforeſeen accident*, the creditor ſhall nevertheleſs recover his debt with intereſt, but the debtor ſhall not be entitled to the value of his pawn ||; and that, if the pledgee *uſe* the thing pledged, he ſhall pay the value of it to the pledgor in caſe of its *loſs* or damage, whilſt he uſes it §.

* "Hæc omnia, ſays GROTIUS, *Romanis* quidem congruunt legibus, ſed non ex illis primitùs, ſed "ex *æquitate naturali*, veniunt: quare eadem apud alias quoque gentes reperire eſt." De Jure *Belli* ac *Pacis*, lib. 2. cap. 12. § 13.

† *Gentoo* Laws, chap. IV. See before, p. 628.

‡ Same chapter. See before, p. 643.

|| Chap. I. Sect. I. Before, p. 655, 656.

§ Chap. I. Sect. II. Before, p. 652.

In

In the ſame manner, if a perſon *hire* a thing *for uſe*, or if any *metal* be delivered to a *workman*, for the purpoſe of making veſſels or ornaments, the bailees are holden to be diſcharged, if the thing bailed be deſtroyed or ſpoiled by *natural* misfortune or the injuſtice of the *ruling power*, UNLESS it be kept *after the time* limited for the return of the goods, or the performance of the work*.

All theſe proviſions are conſonant to the principles eſtabliſhed in this eſſay; and I cannot help thinking, that a clear and conciſe treatiſe, written in the *Perſian* or *Arabian* language, on the law of *Contracts*, and evincing the general conformity between the *Aſiatick* and *European* ſyſtems, would contribute, as much as any regulation whatever, to bring our *Engliſh* law into good odour among thoſe, whoſe fate it is to be under our dominion, and whoſe happineſs ought to be a ſerious and continual object of our care.

Thus have I proved, agreeably to my undertaking, that *the plain elements of natural law*, on the ſubject of BAILMENTS, *which have been traced by a ſhort analyſis*, are recogniſed and confirmed by the wiſdom of nations †; and I haſten to the third, or *ſynthetical*, part of my work, in which, from the nature of it, moſt of the *definitions* and *rules*, already given, muſt be repeated with little variation in *form*, and none in *ſubſtance*: it was at firſt my deſign, to ſubjoin, with a few alterations, the *Synopſis* of DELRIO; but finding, that, as BYNKERSHOEK expreſſes himſelf with an honeſt pride, *I had leiſure ſometimes to write, but never to copy*, and thinking it unjuſt to embelliſh any production of mine with the inventions of another, I changed my plan; and ſhall barely recapitulate the doctrine expounded in the preceding pages, obſerving the method, which logicians call *Syntheſis*, and in which all ſciences ought to be explained.

* Chap. IV. and Chap. X. Before, p. 657. 659.

† Before, p. 597. and 602.

I. To

I. To begin then with *definitions:* 1. BAILMENT *is a delivery of goods in truſt, on a contract expreſſed or implied, that the truſt ſhall be duly executed, and the goods redelivered, as ſoon as the time or uſe, for which they were bailed, ſhall have elapſed or be performed.*

2. DEPOSIT is a *bailment* of goods *to be kept for the bailor without a recompenſe.*

3. MANDATE is a *bailment* of goods, *without reward,* to be *carried from place to place,* or *to have ſome act performed about them.*

4. LENDING FOR USE is a *bailment of a thing* for a certain time *to be uſed* by the borrower *without paying for it.*

5. PLEDGING is a *bailment* of goods by a debtor to his creditor *to be kept till the debt be diſcharged.*

6. LETTING TO HIRE is 1. a *bailment* of A THING *to be uſed* by the hirer *for a compenſation in money*; or, 2. a *letting out* of WORK and LABOUR to be *done,* or CARE and ATTENTION to be *beſtowed,* by the bailee *on the goods bailed,* and that for *a pecuniary recompenſe*; or, 3. of CARE and PAINS in *carrying the things delivered from one place to another for a ſtipulated or implied reward.*

7. INNOMINATE BAILMENTS are thoſe, where the *compenſation* for the *uſe* of a thing, or for *labour* and *attention,* is *not pecuniary,* but either 1. the *reciprocal uſe* or the *gift* of ſome *other* thing; or, 2. *work* and *pains, reciprocally* undertaken; or, 3. the *uſe* or *gift* of another thing in conſideration of *care* and *labour,* and converſely.

8. ORDINARY *neglect* is the *omiſſion* of that *care,* which *every man of common prudence, and capable of governing a family,* takes of *his own* concerns.

9. GROSS

9. Gross *neglect* is the *want* of that care, which *every man of common ſenſe, how inattentive ſoever*, takes of *his own* property.

10. Slight neglect is the *omiſſion* of that *diligence*, which *very circumſpect and thoughtful perſons* uſe in ſecuring *their own* goods and chattels.

11. A naked contract is a contract made without *conſideration* or *recompenſe*.

II. The *rules*, which may be conſidered as *axioms* flowing from natural reaſon, good morals, and ſound policy, are theſe :

1. A bailee, who derives *no benefit* from his undertaking, is reſponſible only for gross neglect.

2. A bailee, who *alone* receives *benefit* from the bailment, is reſponſible for slight neglect.

3. When the bailment is *beneficial* to *both* parties, the bailee muſt anſwer for ordinary neglect.

4. A special agreement of any bailee to anſwer for *more* or *leſs*, is in general valid.

5. All bailees are anſwerable for actual fraud, even *though the contrary be ſtipulated*.

6. No bailee ſhall be charged for a loſs by *inevitable* accident or *irreſiſtible* force, except by *ſpecial agreement*.

7. Robbery by *force* is conſidered as *irreſiſtible*; but a loſs by *private* stealth is *preſumptive* evidence of *ordinary* neglect.

8. Gross

8. GROSS neglect is *a violation of good faith.*

9. NO ACTION lies to compel performance of a *naked contract.*

10. A reparation may be obtained by suit for every DAMAGE occasioned by an INJURY.

11. The negligence of a SERVANT, acting *by his master's express or implied order,* is the negligence of the MASTER.

III. From these *rules* the following *propositions* are evidently deducible:

1. A DEPOSITARY is responsible only for GROSS neglect; or, in other words, for *a violation of good faith.*

2. A DEPOSITARY, whose character is known to his depositor, shall not answer for *mere neglect,* if he take *no better care of his own* goods, and *they also* be spoiled or destroyed.

3. A MANDATARY *to carry* is responsible only for GROSS neglect, or *a breach of good faith.*

4. A MANDATARY *to perform a work* is bound to use *a degree of diligence adequate to the performance of it.*

5. A man cannot be compelled by ACTION to perform his promise of engaging in a DEPOSIT or a MANDATE.

6. A reparation may be obtained by suit for DAMAGE occasioned by the *nonperformance* of a promise to become a DEPOSITARY or a MANDATARY.

7. A BORROWER

7. A BORROWER FOR USE is refponfible for SLIGHT negligence.

8. A PAWNEE is anfwerable for ORDINARY neglect.

9. The HIRER of a THING is anfwerable for ORDINARY neglect.

10. A WORKMAN for HIRE muft anfwer for ORDINARY neglect of the goods bailed, and apply a *degree of* SKILL *equal to his undertaking*.

11. A LETTER to HIRE of his CARE and ATTENTION is refponfible for ORDINARY negligence.

12. A CARRIER for HIRE, by *land* or by *water*, is anfwerable for ORDINARY neglect.

IV. To thefe *rules* and *propofitions* there are fome *exceptions:*

1. A man, who *fpontaneoufly* and *officioufly* engages to *keep*, or to *carry*, the goods of another, though *without reward*, muft anfwer for SLIGHT neglect.

2. If a man, through *ftrong perfuafion* and with *reluctance*, undertake the execution of a MANDATE, no more can be required of him than *a fair exertion of his ability*.

3. ALL bailees become refponfible for loffes by CASUALTY or VIOLENCE, *after* their *refufal* to return the things bailed on a LAWFUL DEMAND.

4. A BORROWER and a HIRER are anfwerable in ALL EVENTS, if they *keep* the things borrowed or hired *after the ftipulated time*, or *ufe* them *differently* from their agreement.

5. A DEPOSITARY

5. A DEPOSITARY and a PAWNEE are anſwerable in ALL EVENTS, if they *uſe* the things depoſited or pawned.

6. An INNKEEPER is chargeable for the goods of his gueſt *within his inn*, if the gueſt be *robbed* by the *ſervants* or *inmates* of the keeper.

7. A COMMON CARRIER, by *land* or by *water*, muſt indemnify the owner of the goods carried, if he be ROBBED of them.

V. It is *no* exception, but a *corollary*, from the *rules*, that "every "bailee is reſponſible for a loſs by ACCIDENT or FORCE, however *ine-* "*vitable* or *irreſiſtible*, if it be *occaſioned* by that *degree of negligence*, for "which the nature of his contract makes him generally anſwerable;" and I may here conclude my diſcuſſion of this important title in juriſprudence with a general and obvious *remark*; that "*all* the preceding "rules and propoſitions may be diverſified to *infinity* by the *circum-* "*ſtances* of every particular caſe;" on which circumſtances it is on the *continent* the province of a *judge* appointed by the ſovereign, and in ENGLAND, to our conſtant honour and happineſs, of a *jury* freely choſen by the parties, *finally* to decide: thus, when a painted *cartoon*, paſted on canvas, had been *depoſited*, and the bailee kept it ſo near a damp wall, that it peeled and was much injured, the queſtion "whether the depoſitary had been guilty of GROSS neglect," was properly left to the jury, and, on a verdict for the plaintiff with pretty large damages, the court refuſed to grant a new trial *; but it was the judge, who determined, that the defendant was by *law* reſponſible for *groſs* negligence *only*; and, if it had been proved, that the bailee had kept *his own* pictures *of the ſame ſort* in the ſame place and manner, and that *they too* had been ſpoiled, a new trial would, I con-

* 2 Stra. 1099. *Mytton* and *Cock*.

ceive, have been granted; and ſo, if no more than SLIGHT neglect had been committed, and the jury had, nevertheleſs, taken upon themſelves to decide againſt law, that a bailee *without reward* was reſponſible for it.

Should the *method* uſed in this little tract be approved, I may poſſibly not want inclination, if I do not want leiſure, to diſcuſs in the ſame form *every* branch of *Engliſh* law, *civil* and *criminal*, *private* and *publick*; after which it will be eaſy to ſeparate and mould into diſtinct works, the three principal diviſions, or the *analytical*, the *hiſtorical*, and the *ſynthetical*, parts.

The great ſyſtem of juriſprudence, like that of the Univerſe, conſiſts of many ſubordinate ſyſtems, all of which are connected by nice links and beautiful dependencies; and each of them, as I have fully perſuaded myſelf, is reducible to a few plain *elements*, either the wiſe *maxims* of national policy and general convenience, or the *poſitive* rules of our forefathers, which are ſeldom deficient in wiſdom or utility: if LAW *be* a *ſcience*, and really deſerve ſo ſublime a name, it muſt be founded on principle, and claim an exalted rank in the empire of *reaſon*; but, if it be *merely* an unconnected ſeries of decrees and ordinances, its uſe may remain, though its dignity be leſſened, and He will become the greateſt lawyer, who has the ſtrongeſt habitual, or artificial, *memory*. In practice, law certainly employs *two* of the mental faculties; *reaſon*, in the primary inveſtigation and deciſion of points *entirely new*; and *memory*, in tranſmitting to us the reaſon of ſage and learned men, to which our own ought invariably to yield, if not from a becoming modeſty, at leaſt from a juſt attention to that object, for which all laws are framed, and all ſocieties inſtituted, THE GOOD OF MANKIND.

ADVER-

# ADVERTISEMENT.

AFTER I had finiſhed the preceding *tract*, to the *ſatisfaction* of ſeveral friends, but not to my own, I was informed, that the learned CHRISTIAN THOMASIUS had publiſhed a diſſertation on the ſame ſubject with the following title: *De Uſu Practico Doctrinæ difficillimæ Juris Romani de Culparum Præſtatione in Contractibus*; HALÆ, MDCCV. The fame of the author, and the high applauſe, which the very ſenſible *Bynkerſhoek* beſtows on him, impreſſed me with a moſt favourable idea of his work, and with a ſtrong deſire to procure it; but, to my extreme diſappointment, I cannot find it in any library, publick or private, in the Metropolis or in either of our Univerſities: I have ſent for it, however, to *Germany*, and, when I receive it, ſhall take a ſincere pleaſure, either in correcting ſuch errors, as it may enable me to detect in my eſſay, or in confirming the ſyſtem, which I have adopted, by ſo reſpectable an authority.

THE

## THE CASES.

# *AN INQUIRY*

INTO

# THE LEGAL MODE

OF

# SUPPRESSING RIOTS,

WITH

# *A CONSTITUTIONAL PLAN*

OF

# FUTURE DEFENCE.

Res videas quo modo ſe habeant: orbem terrarum, imperiis diſtributis, ardere bello; urbem ſine legibus, ſine judiciis, ſine jure, ſine fide, relictam direptioni et incendiis.

C I C. Epiſt. ad Fam. 4. 1.

# *AN INQUIRY*

INTO

# THE LEGAL MODE

OF

# SUPPRESSING RIOTS.

IT has long been my opinion, that, in times of national adverſity, thoſe citizens are entitled to the higheſt praiſe, who, by perſonal exertions and active valour, promote at their private hazard the general welfare; that the ſecond rank in the ſcale of honour is due to thoſe, who, in the great council of the nation, or in other aſſemblies legally convened, propoſe and enforce with manly eloquence what they conceive to be ſalutary or expedient on the occaſion; and that the third place remains for thoſe perſons, who, when they have neither a neceſſity to act, nor a fair opportunity to ſpeak, impart in writing to their countrymen ſuch opinions as their reaſon approves, and ſuch knowledge as their painful reſearches have enabled them to acquire.

With theſe reſtrictions, the ſword, the tongue, and the pen, which have too often been employed by the worſt paſſions to the worſt purpoſes, may become the inſtruments of exalted virtue; inſtruments, which it is not the right only, but the duty, of every man to uſe,

who

who can uſe them; paying always a ſacred regard to the laws of that country, which he undertakes to defend, to adviſe, or to enlighten.

A ſenſe of this duty and a conſciouſneſs of this right have impelled me, with no views, as it will be readily believed, of ambition or intereſt, much leſs from any factious motive, to take up that inſtrument, which I have ſtated as the leaſt honourable of the three, and to preſent the publick with a few conſiderations on a ſubject no leſs intereſting at the preſent hour than important to all future ages.

Having unhappily been a vigilant and indignant ſpectator of the late abominable enormities; having ſeen the ſenate beſieged, and the ſenators inſulted; the laws of our country defied, and the law of nations violated; having beheld the houſes of our trueſt patriots and moſt reſpectable magiſtrates either deſtroyed, aſſailed, or menaced; having paſſed a whole night encircled by the blazing habitations of unoffending individuals, and by the flames of thoſe edifices which publick juſtice had allotted to various claſſes of offenders; having lamented over a great metropolis expoſed for many days to the fury of a licentious rabble; having believed the nobleſt commercial City in the world to be in danger of a ſecond conflagration; having in vain ſought acceſs to the courts at Weſtminſter in full term, and to the houſes of parliament in full ſeſſion; having, in a word, been witneſs to horrors, all the concurrent cauſes of which are not eaſy to be known, and all the conſequences of which are leſs eaſy to be predicted; I could not but ſee at length, with a mixed ſenſation, between anguiſh and joy, the vigorous and triumphant exertions of the executive power; and I admitted the neceſſity of thoſe exertions, whilſt I deplored it.

Every

Every well-difpofed man, and lover of tranquillity, muft have rejoiced, that, on the ninth of June, the peaceable and terrified inhabitants of this noble Capital might enjoy repofe; that the valuable effects, which many had removed, and fome had even buried, might be replaced; that the artifan might refume his implements, and the ftudent, his books; that juftice had reafcended her feat; and that order was fucceeding to confufion, harmony to difcord; but every honeft man, and lover of his country, muft have grieved, that a whole week was then before us, in which the neceffary adjournment of the Commons, who would otherwife have been deliberating on the ftate of the metropolis and the kingdom, had left us under a power, which, whatever it might be in form and in effect, was in truth and fubftance, dictatorial.

In this awful interval a queftion occurred to me, which muft naturally have prefented itfelf to many others: "Whether the ftill-fubfifting "laws and genuine conftitution of ENGLAND had not armed the *civil* "*ftate* with a power fufficient, if it had been previoufly underftood and "prepared, to have fuppreffed ever fo formidable a riot without the in"tervention of the *military*."

If no fuch power legally exifted in the ftate, our fyftem, I thought, muft be defective in a moft effential point; fince no people can be really and fubftantially free, whofe freedom is fo *precarious*, in the true fenfe of the word, as to depend on the protection of the foldiery; and even our protectors, who for feveral days poffibly could not, but certainly did not, act at all, might have been neceffarily called away, in the moft dangerous moment, to defend our coafts and maritime towns: if, on the other hand, fuch a power of felf-protection did exift, our laws, I concluded, muft have been difgracefully neglected, and ought to be reftored to full vigour and energy.

A very ſhort inquiry enabled me to anſwer the queſtion, at leaſt to my own ſatisfaction, *in the affirmative*; and it is the reſult of this inquiry, which I now requeſt the public to accept with the indulgence due to an occaſional production, and with the attention due to a ſubject of general importance.

This then is the propoſition, which I undertake to demonſtrate: "That the common, and ſtatute, laws of the realm, in force at this "day, give the *civil* ſtate in every county a power, which, if it were "perfectly underſtood and continually prepared, would effectually quell "any riot or inſurrection, without aſſiſtance from the *military*, and "even without the modern riot-act."

To this propoſition I ſhall ſtrictly, and, as far as I am able, logically confine myſelf; avoiding all parade of legal or antiquarian learning, and omitting all ſuch diſquiſitions as might anſwer the purpoſe of oſtentation, which I diſdain, but not of utility, which alone I ſeek: ſhould the curious and intelligent reader be deſirous of inveſtigating the powers of magiſtrates and of courts in recording riots and puniſhing rioters, and of tracing the hiſtory of our ancient and modern laws for the preſervation of publick tranquillity, from that of king Ina to that of George the Firſt, he will receive ample information from the various books of authority, which I ſhall have occaſion to cite in the courſe of my argument.

It is in every one's mouth, that, on all violent breaches of the peace, the ſheriff of the county is not only authorized but commanded to raiſe the *Poſſe Comitatûs*, and forcibly to ſuppreſs the tumult; but, if moſt of thoſe, who uſe this expreſſion, will examine their own minds, they will preſently perceive, that they utter words, which convey to them no diſtinct idea, and that the *power of the county*, like many other

*powers*

*powers* in nature and jurisſprudence, is very ill aſcertained, and very imperfectly comprehended. Logicians give us an admirable rule, "*that* "*we ſhould ſeek after a clear, preciſe and complete conception of things, as* "*they really exiſt in their own nature and in all their parts*, and *ſhould not* "*always imagine that there are ideas, becauſe there are words**:" let us apply this rule to the caſe before us, and endeavour to form a luminous, fixed, comprehenſive notion of the *power* in queſtion; without ſuppoſing that we comprehend it, merely becauſe we know, that, beſides its *Latin* name, it is called in Norman French, *Poiar del Countee*, and ſometimes, *Aide del pais*†.

We cannot begin our inveſtigation under a more certain or more reſpectable guide, than Chief Juſtice FINEUX, whoſe words I ſhall tranſcribe from that moſt venerable repoſitory of genuine *Engliſh* wiſdom, the Year books‡: "At the beginning," ſays that learned judge, "all "the adminiſtration of juſtice was in one hand, namely, in the Crown; "then, after the multiplication of the people, that adminiſtration was "diſtributed into counties, and the *power* was committed to a deputy in "each county, namely, the Viſcount, or Sheriff; who was the King's "deputy to preſerve the peace; and thus it is, that all people muſt, in "obedience to him, be *ready* in defence of the realm, when enemies "come: thus too was he aſſigned to be a conſervator of the peace, to "puniſh malefactors, to defend the realm when enemies invade it, to be "attendant on the King in war-time, and to cauſe all people in his "county to go with the King to defend the land againſt enemies."

Who the people are, that the laws of England *required*, and ſtill require, to be *ready* and obedient to the ſheriff on all occaſions of publick diſturbance, we learn from the judicious antiquary, LAMBARD, who

* Watts, part I. chap. vi.

† Crompt. 124.

‡ 12 Hen. VII. 17.

cites

cites and adopts the opinion of Mr. *Marrow* delivered in a work, which I ſuppoſe to have been a reading on the ſtatute 13 Hen. IV. His opinion was, "that the juſtices of the peace, ſheriff or under ſheriff, ought "to have the aid and aſſiſtance of all knights, gentlemen, yeomen, "labourers, ſervants, apprentices, and likewiſe of wards, and of other "young men above the age of fifteen years; becauſe all of that age are "bound to have *harneſs*, or armour, by the ſtatute of Wincheſter*.

What effect the ſubſequent repeal of the ſtatutes of armour might have on the reaſon aſſigned by Mr. *Marrow* for his opinion, it is needleſs to inquire; for it ſeems obvious, that the ſtatutes of JAMES I. removed the *neceſſity* only, and not the *propriety*, of having arms, or, to uſe the very words of the old act, *armure pur la pees garder*; and the doctrine in *Lambard* is generally underſtood to be law†. The paſſage above-cited appears, however, to have miſled the great commentator on the Laws of England, who ſeems to have collected from it, that none were bound to obey the ſummons of the ſheriff, but perſons *under the degree of nobility*‡; whereas the patent of aſſiſtance, cited by *Dalton*‖, commands barons, earls, and dukes, to be *auxiliantes et reſpondentes* to the ſheriff in all things belonging to his office.

The power of the county, therefore, includes the whole *civil* ſtate, from the duke to the peaſant; while the *military* ſtate, *as ſuch*, forms no part of that power, being under a different command, and ſubject to a different law; but, as every ſoldier in England is at the ſame time a citizen, he is authorized and perhaps bound, when under no particular orders or at no particular ſtation, to exert himſelf, like any other good ſubject, in the ſuppreſſion of tumults, the prevention of felony, and the apprehenſion of the rioters or felons. This I mean: when the

* Lamb. Eiren. 316. † Dalt. c. 95. ‡ 1 Comm. 344. 4 Comm. 122. ‖ C. 1.

ſoldiery,

ſoldiery, not being upon military duty, happen to be preſent at a riot, and in their civil capacity forcibly ſuppreſs it, their act is not only legal but laudable; and the colour of their clothes, or the nature of their arms, make no kind of difference; but, when they are *in truth* called out by the executive magiſtrate, and are *in fact* no more than inſtruments in the hands of their commanders, their acts can only be juſtified by that NECESSITY which always *defends what it compels*, which for the time ſuperſedes all poſitive law, but of the real exiſtence of which their country muſt afterwards judge, unleſs the legiſlature ſhould, in their wiſdom, be pleaſed to declare it. For this diſtinction I can produce no written authority; but it ſeems conſonant to reaſon as well as truth.

This power of the county, of which we may now begin to form a diſtinct idea, is mentioned, as well known and well underſtood, in a variety of ſtatutes, which were confirmatory of the common law; and ſome parts of which I ſhall cite in the original languages, how barbarous or inelegant ſoever they may appear to a claſſical eye.

The ſtat. Weſtm. 1. c. 17. ordains "qe le viſcounte ou le bailiff, "priſe ove luy *poyer de ſon countee*, ou de ſa baille, voit eſſayer de faire "le plevin des averes a celuy qe prit les averes." And that of Weſtm. 2. c. 39. is more peremptory in caſes of reſiſtance to the execution of civil proceſs: "Multoties etiam dant reſponſum, quod non potuerunt "proſequi præceptum regis propter reſiſtentiam poteſtatis *alicujus* "magnatis, de quo caveant vicecomites de cætero, quia *hujuſmodi* "reſponſio multum redundat in dedecus domini *regis*; et, quam citò "ballivi ſui teſtificantur, quòd invenerunt *hujuſmodi* reſiſtentiam, "ſtatim omnibus omiſſis, aſſumpto ſecum *poſſe comitatûs* ſui, eant in "propriâ perſonâ ad faciendam executionem." By the 17 Rich. II. c. 8. it is enacted, that, in caſe of any tumult or diſorder, "a pluis toſt "qe

" qe viſcontz et autres miniſtres le roi poent ent avoir coniſſance, ove " *la force del countee et pais*, ou tiel cas aviegne, ilz mettent deſtour-" bance encontre tiel malice *ove tout lour poair*, et preignent tielx " meſleſours, et les mettent en priſone tanqe due execution de leie ſoit " fait de eux, et qe touz ſeignurs et autres liges du roialme ſoient " entendantz et aidantz, *de tout lour force et poair*, as viſcontz et mi-" niſtres avant ditz."

Again: by the 13 Hen. IV. c. 7. " Ordeignez eſt et eſtabliz, qe, ſi " aucun riot aſſemblee ou rout des gentz encontre la loie ſe face en " aucune partie del roialme, les juſtices de paix, trois ou deux de eux a " meyns, et le viſcont ou ſouth viſcont del countee, ou tiel riot aſſem-" blee ou rout ſe ferra enapres, *veignent ove le poair del countee*, ſi be-" ſoigne ſerra, pur eux areſter, et eux areſtent." In the conſtruction of this laſt ſtatute it has been holden*, that, although it ſpeak of *three* or *two* juſtices at leaſt, yet *one* juſtice may raiſe the power and ſuppreſs a riot; for *it is a beneficial law*, ſaid Fineux, *and was enacted for the prevention of miſchief, which might enſue, if a juſtice were to wait for others*. It has alſo been adjudged, that, under the word *miniſters*, in the ſtat. 17 Rich. II. c. 8. juſtices of peace are compriſed †; and ſo are *conſtables*, by the opinion of *Fitzherbert* cited by *Crompton*, and confirmed by the Year book 1 Hen. VII. 10; where it is laid down, that " conſtabularii villæ " ſuper affraiam poſſunt levare populum."

We may therefore conclude, that, in all caſes of tumult and inſurrection, the ſheriff, or other *miniſter*, may and ought to make *proclamation*, commanding all ſuch perſons, as conſtitute the power of the county, to aſſemble and aſſiſt him ‡; or he may ſend a particular *warning* or *ſummons*, for the ſame purpoſe, to every individual of the

* 14 Hen. VII. 10. Crompt. 46. b.

† Crompt. 46. a.

‡ Dalt. c. 95.

*poſſe*,

*posse*, who must attend such summons under pain of a heavy fine and imprisonment; for, by the stat. 2 Hen. V. c. 8. it is provided, "qe les "lieges du roi esteantz sufficeantz pur travailler en le countee, ou tielx "routes assemblez ou riotes sont, soient assistantz as justices, commis- "sioners, viscont, et soutz-viscont, de mesme le countee, *qant ilz serront* "*reasonablement garniz*, pur chivacher, ove les ditz justices, commis- "sioners, et viscont ou soutz-viscont en aide de resistence de tielx riotes "routes et assemblez sur peine demprisonement et faire fyn et ranceon "al roi:" And the offence of neglecting to join the power of the county, after such reasonable warning, is ranked by Sir *William Blackstone* under the class of *contempts against the king's prerogative* *.

Having fixed our ideas concerning the nature of this legal power, the mode of raising it, and the punishment of a criminal neglect to join it, let us consider, first, by the help of reason only, what corollaries necessarily follow the doctrine, which we have expounded; and, next, inquire whether authority and reason, which lord *Coke* justly calls *the two faithful witnesses in matter of law* †, coincide on the question before us; as they indubitably will, unless either our previous ratiocination be illogical, or the minds of ancient and modern lawyers have taken a bent from the prejudices of their respective ages.

From the obligation of the sheriff, or other minister, to assemble the power of his county for the suppression of any rebellion, insurrection, riot, or affray, and for the repelling of invading enemies; from the duty incumbent on every man of sufficient years and strength to associate himself with the power so assembled, and from the principles of natural justice, which will neither *require men to do impossible things*, nor *refuse them the means of performing what they are commanded to perform;*

* 4 Comm. 122. † 1 Inst. Pref.

from

from theſe obligations and theſe principles it inſtantaneouſly follows: Firſt; That the ſheriff or other peace-officer is bound to raiſe *ſuch* a power as will effectually quell the tumult either really exiſting or juſtly feared.

Secondly; That the power ſo raiſed may and muſt be armed with ſuch *weapons*, and act in ſuch *order*, as ſhall enable them totally to ſuppreſs the riot or inſurrection, or to repel the invaders.

Thirdly; That, in the uſe of ſuch weapons, the power may juſtify the *charging*, *wounding*, or even *killing*, the rioters or inſurgents, who perſiſt in their outrages, and refuſe to ſurrender themſelves.

Fourthly; That the power of every county ought at all times, but eſpecially in times of danger, to be *prepared* for attending the magiſtrate, and to know the *uſe* of ſuch weapons, as are beſt adapted to the ſuppreſſion of tumults.

Fifthly; That, ſince the *muſket* and *bayonet* are found by experience to be the moſt effectual arms, all perſons, who conſtitute the power of a county, are bound to be competently ſkilled in the uſe of them.

Sixthly; That, ſince the only ſafe and certain mode of uſing them with effect is by acting *in a body*, it is the duty of the whole civil ſtate to know the platoon-exerciſe, and to learn it in companies.

As *no authority*, according to CHARRON, *can ſtand without reaſon*, ſo we find, by conſtant experience, that no reaſon can ſurmount the paſſions and prejudices of men without the aid of authority; and I am happy in believing, that both of them perfectly coincide in ſupport of the foregoing propoſitions: firſt, therefore, I ſhall prove them by citing caſes,

cafes, which have been folemnly adjudged, together with the opinions of learned lawyers, whofe works are much refpected in our courts of juftice; and, next, I fhall inquire, whether thofe cafes and opinions have been over-ruled or fhaken by any fubfequent decifions, or acts of the legiflature.

The earlieft refolution upon the fubject, that has occurred to me, was in a cafe, which the very learned and judicious *Brook* thought *worthy of note* * in his time, and which, in the prefent time, deferves peculiar attention. *It is reported in French in the firft* page of the Year book 3 *Hen.* VII. and is *manifeftly the fame with that afterwards* abridged in an imperfect *Latin* note printed, out of its place, in the tenth page of the fame book; although *Brook* feems to have confidered them as different, or rather not to have obferved their identity; for, in the title of his Abridgement juft alluded to, he gives them in feparate articles, without melting both parts of the Year book together, as I propofe to do; by which means I fhall extract the whole cafe and form one confiftent ftate of it.

JOHN DEINS had been outlawed in the county of *Suffolk* for felony; and, having brought a writ of error to reverfe the outlawry, had obtained a *Non Moleftando,* which he delivered to the efcheator, *John Lenthorp*; who, neverthelefs, feifed and took away his effects. Upon this, Deins replevied; and EDMUND BEDINGFIELD, the fheriff, iffued his precept to Thomas Gire, his bailiff, *jurus et conus*, together with *Roger Hopton*, *Edmund Heningham*, and three other perfons, directing them to take the goods of the plaintiff out of the efcheator's poffeffion: accordingly, the bailiff and his party took *forcibly* from *Lenthorp* an hundred fheep, which they delivered to *Deins*; and, in order to make delivery of the goods and cattle which remained, they affembled all the inhabitants of five adjacent vills; who, in number *three hundred*,

* Bro. Abr. *tit.* Office et Officer. 23.

*arrayed in a warlike manner, and armed with brigandines, jackets of mail, and* GUNS, *united and associated themselves, and marched* * to the place where the cattle were detained; but did not proceed to any other act of violence.

For this imagined breach of the peace, and military array, an indictment was preferred in the King's Bench against the plaintiff in replevin, the sheriff and his bailiff, and the persons who had assisted them; but the court unanimously adjudged, that the indictment was void; founding their judgement, as it seems, on the reasons advanced by serjeant *Keble*, whose argument it may be proper to state at large.

"As to the plaintiff in replevin, said he, no wrong was committed "by him; for the escheator, when he took the goods, after the *Non* "*Molestando* had been delivered to him, acted unlike an officer; since "it was his duty, in that instant, to surcease his process: *Deins*, "therefore, was perfectly justified in complaining to the sheriff, and "must consequently be discharged from this indictment.

"Nor did the sheriff transgress his duty in executing the replevin; for, "when the party came to him, he could not know, whether he was an "outlaw or not; or whether or no the escheator had seised the cattle in "the King's right; which ought to have been shown by the King's "officer. The bailiff too must be discharged; for the servant is in the "same condition with the master; and, as the sheriff cannot do every "thing himself, his deputy must have the same power with him.

"In regard to his assembling three hundred men, *that was no illegal* "*act* †; for every man is bound to assist the sheriff and his bailiff; "to support him in executing the King's writs; and to give him aid

* *Modo guerrino arraiati se univerunt et associaverunt, et iter suum arripuerunt.* 3 Hen. VII. 1. 10.

† *Ceo nest incontre la ley:* So *Brook* reports his words, *tit.* Riots, 2.

"in

"in all cafes of need; *and this by common law and common reafon,* "notwithftanding the ftatutes of Weftminfter the firft and fecond. "So, if *any man* refufe to affift the fheriff at his *requeft*, he fhall be "fined, whether it be to execute procefs, or to apprehend felons."

The Court agreed, that the bailiff had as good a right to raife the power as the fheriff himfelf; becaufe it is all one office and one authority.

It was urged, "that, if men affemble with arms and *do nothing*, it "fhall be intended, that they affembled with a bad defign;" but it was anfwered, that in fome cafes the prefumption might be juft; in others, not: thus the ufe of armour on particular occafions, as on Midfummer eve in London, and at other times for fport, is not punifhable; and, here, the caufe of the affembly appears, *namely to execute a replevin*. Even if they had acted, yet their affembly was lawful in the beginning; and fuch affemblies are not illegal as are not *to the terror of the people of our lord the king*; which words ought to be in every indictment for an unlawful affembly.

Another point was touched upon by the king's ferjeants: "that the "fheriff cannot take with him *fo many* armed men, but only a *reafonable* "party;" to which it was anfwered, that, if he were fo reftrained, he might be in great jeopardy and peril of his life; and for this reafon, *he may take as many as he pleafes at his own difcretion.*

Laftly, it was argued on the ftatute of Weftm. 2. c. 39*, that the fheriff might raife the power of his county *after complaint made*, and *not before*; but the judges held, that he might raife it before *by the common law.*

* The ftatute of *Marlbridge*, c. 21, feems here to be meant; the words *poft querimoniam factam* not being ufed in ftat. Weftm. 2.

This

This caſe (which, for convenience in citation, I ſhall call *Bedingfield's* Caſe), is irreſiſtibly ſtrong in ſupport of my *firſt* and *ſecond* corollaries; for, although there ſeems to have been ſome doubt at firſt in the minds of the judges, as it was merely the execution *of civil proceſs*, yet, if the armed men had marched in array for the purpoſe of *apprehending felons*, there would have been no debate on the legality of the act; and, after an argument at the bar, the former doubt was entirely removed.

The next is the caſe of a riot at *Drayton Baſſet* in *Staffordſhire*, determined in the Star-chamber in the twenty-fourth of Elizabeth, and cited more than once by *Crompton* *; who ſays that the court reſolved, 1. That, if the two juſtices, neareſt to the place where the riot is committed, do not act as they are required by ſtat. 13 Hen. IV. c. 17. each of them ſhall pay an *hundred* pounds; and the other juſtices of the ſame county, where the tumult was, ſhall be fined for not ſuppreſſing it, *if there was any default in them.* 2. That the ſheriff and juſtices of peace may take as many men in armour as are neceſſary, WITH GUNS, and ſo forth, and *kill the rioters*, if they will not yield themſelves; for the ſtat. 13 Hen. IV. c. 17. ſays, that they MUST *arreſt them*; and, if the juſtices, or any of their company, kill any of the rioters, who will not ſurrender themſelves, it is no offence in them.

This caſe of *Drayton Baſſet*, which is alſo cited and approved by *Sir Matthew Hale* †, inconteſtably demonſtrates my *third* corollary.

In the 34th or 43d of Elizabeth (for the date is differently reported by ſome tranſpoſition of the figures) the doctrine in *Bedingfield's* caſe was fully recognized and eſtabliſhed by the deciſion in the caſe of *St. John* ‡, or *Gardener* ||; which, being ſubſequent to the ſtat. 33 Hen. VIII. c. 6. prohibiting the uſe of *hand-guns*, clearly ſhows, that no alteration in the ancient law was made by that prohibition.

* Crompt. 46. b. 124. b. † 1 H. P. C. 495. ‡ 5. Rep. 71. 72. || Cro. Eliz. 821, 822.

The

The cafe was this: *Gardener* had obtained a judgement againft *St. John*, and procured a writ of execution directed to the fheriff of *Bedford*, who made a warrant to *Gardener's* own brother as a fpecial bailiff; but, refiftance being juftly feared, the bailiff armed himfelf with a *dagge*, or fhort gun. It happened that *St. John* was a juftice of peace for *Bedfordfhire*, and feems to have had that *little learning*, which, in law rather more than in poetry, *is a dangerous thing*, efpecially when it is coupled with knavery; for, having notice how the bailiff was armed, he contrived to have him feifed by his fervants, and brought before himfelf as the *next* juftice; when, by colour of his office and the ftatute of Hen. VIII. he committed the officer, who came to arreft him, until he fhould pay ten pounds, one moiety to the queen, and another to the informant. The bailiff having removed himfelf by *habeas corpus*, and the whole matter being difclofed to the court, it was refolved, "that the "fheriff or any of his minifters, in execution of juftice, may carry "*dagges*, or *hand-guns*, or other weapons invafive or defenfive, the fame "not being reftrained by the general prohibition of the ftatute; for, if "it were, *no juftice would be adminiftered*."

By ftronger reafon fuch weapons may be carried for the purpofe of fuppreffing riots, apprehending felons, or repelling invaders. It may here be obferved, that the ftatute of Hen. VIII. was enacted for the prevention of mifchief, that might be occafioned by the ufe of *little handguns*, which might be carried fecretly and kill on a fudden; but guns of a proper length were not prohibited.

The *Cafe of Arms*, or BURTON's cafe, next prefents itfelf to our examination: it is of very high authority, and fo appofite to the object of our inquiry, that I fhall make no apology for citing it in the very words of the learned reporter*: "Upon an affembly of *all the juftices and*

* Poph. 121, 122.

"*barons*

" *barons* at Serjeant's Inn this Eafter term (39 Eliz.), on Monday the " 15th of April, this queftion was moved by *Anderfon*, Chief Juftice of " the Common Bench; *Whether men may arm themfelves to fupprefs riots " and rebellions, or to refift enemies, and endeavour of themfelves to fupprefs " or refift fuch difturbers of the peace and quiet of the realm*; and, upon " good deliberation, it was refolved *by them all*, that every juftice of " peace, fheriff, and other minifter, or OTHER SUBJECT OF THE KING, " where fuch accident happens, *may do it*; and, to fortify this their re- " folution, they perufed the ftatute of *Northampton*, 2 Edw. III. c. 3. " which enacts, that *none be fo hardy as to come before the king's juftices " or other minifters of the king in the execution of their office with force and " arms, nor to bring force in affray of the peace, nor to ride or go armed by " night or day*, EXCEPT *the fervants of the king in his prefence, or the mi- " nifters of the king in the execution of his precepts, or of their office, and " thofe who are in their company affifting them*, OR UPON CRY MADE FOR " WEAPONS TO KEEP THE PEACE, *and this in places where accidents hap- " pen, upon the penalty in the fame ftatute contained*; whereby it appeareth, " that, *upon cry made for weapons to keep the peace*, EVERY MAN, where " fuch accidents happen, for breaking the peace, *may by law arm him- " felf* againft fuch evil-doers: but they took it to be *the more difcrete " way* for every one in fuch a cafe to be affiftant to the juftices, fheriffs, " or other minifters of the king in the doing of it."

Highly as the authority of Sir *John Popham* deferves to be refpected, it is to be wifhed, that lord *Anderfon* himfelf had given us a full account of his own opinion with that of the other judges; but he has left us no more than a fhort note * to the fame effect with the preceding report. This cafe alfo is cited by *Hale* †, and the very words in Popham are tranfcribed by Sir *John Kelyng* in his report of *Lymerick's* cafe ‡. I

* 2 And. 67.　　† 1 H. P. C. 53.　　‡ Kel. 76.

think

think it a ſtrong proof of my *fourth* corollary, reſpecting the neceſſity of being *prepared* at all times to keep the peace; but, if a particle of doubt on that head can remain, it will be diſſipated at once by the ſtatute of Weſtm. 1. c. 9. by which, as it is cited by Crompton *, " purveu " eſt, qe touz *continualment* ſoient *preſtez et apparaillez* al maundement " et al ſomons des viſcountes, et *al crye del pais* de ſuire et dareſter " felons, *qant meſtier ſerra*, auxibien dedeins fraunchiſes come dehors; " et ceux, qe ceo ne ferront, et de ceo ſoient atteintz, le roi prendra a " eux gravement;" whence it ſhould ſeem, that ALL SUBJECTS, who are not *continually preſt*, or *ready*, for the orders of the ſheriff on an alarm in the country, are expoſed to the royal diſpleaſure and to a ſevere penalty; and the word *preſt* (which in modern times has been either ignorantly or intentionally confounded with the participle paſſive of the verb *to preſs*) is uſed for *prepared* by Chief Juſtice FINIEUX in a paſſage before cited: I am aware, however, that *communialment* is the uſual reading; which will give a ſenſe rather leſs forcible, " that " all men *generally* ſhall be ready and accoutred *at* the ſummons of the " ſheriff;" but this amounts to the ſame thing; for how can a man be armed and apparelled *in an inſtant on a ſudden alarm*, unleſs his weapons and accoutrements were previouſly at hand?

The opinions of the learned, which form the ſecond branch of my proofs, can add little weight to *four* caſes of ſuch authority, as thoſe of *Bedingfield*, *Drayton Baſſet*, *St. John*, and the *Caſe of Arms*: indeed, theſe caſes ſeem to have been the guides of *Lambard* and *Dalton*, *Hale* and *Hawkins*; who all agree, that " it is referred to the diſcretion of " the ſheriff, under-ſheriff, or other perſon authorized to raiſe the *poſſe*, " how many men they will aſſemble, and how they ſhall be armed, " weaponed, or otherwiſe furniſhed for the buſineſs †;" that " private

* 124. a.

† Lamb. Eiren. 317. Dalt. c. 95.

" perſons

" persons may arm themselves in order to suppress a riot, and that all, " who attend the justices in order to quell a tumult, may take with " them *such weapons as shall enable them to do it effectually* *; that, " lastly, in executing process or apprehending rioters, they may, by " the common law, beat, wound, or kill, any of the opponents or in- " surgents, who shall resist them †;" all which opinions are supported by solemn decisions, and are, in truth, the conclusions of natural reason from the simplest and surest premisses.

The *fifth* and *sixth* propositions, which I consider as simple corollaries, are founded in part on *extrinsick* assumptions, drawn from history and experience: they may therefore, even by the rules of law, admit of proof from the authority of men, " quibus in arte suâ credendum est ;" and the following citation from Mr. WINDHAM's elegant introduction to his *Plan of Discipline for the Norfolk Militia* will be thought as convincing as any passage in Fitzherbert or Brook. " About the begin- " ning of this century, says he, the troops in Europe were universally " armed with firelocks; *to which*, much about the same time, *the* " *bayonet being added*, pikes also were laid aside. When the use of fire- " arms began to be generally established, the *necessity of a great re-* " *gularity and uniformity*, in the manner of using those arms, became " apparent: it was soon discovered, that those troops, which could " make the briskest fire, and sustain it longest, had a great superiority " over others less expert; and, likewise, that *the efficacy and power of* " *fire did not consist in random and scattering shots made without order, but* " *in the fire of a body of men at once, and that properly timed and directed.* " It was therefore *necessary* to exercise the troops in loading quick, and " firing together by the word of command; but, as the aukwardness, " carelessness, and rashness, of young soldiers (if left to themselves)

* 1 Hawk. P. C. c. 65. † Lamb. Eiren. 318. 1 Hale H. P. C. 495.

" must

" muſt occaſion frequent accidents, and *the loſs of many of their own* " *party*, by the unſkilful manner of uſing their fire-arms, eſpecially in " the hurry of an engagement, it became a matter of *indiſpenſable ne-* " *ceſſity* to teach ſoldiers an *uniform* method of performing every action " that was to be done with the muſket, that they might all do it in *the* " *moſt expeditious and ſafeſt manner*."

Should any doubt be raiſed as to the legality of *aſſembling* for this purpoſe, and ſhould the words of Sir *Matthew Hale*, whom of all men I reſpect the moſt, be oppoſed to me, that, " where people are aſſem- " bled in great numbers armed with weapons offenſive, or weapons of " war, if they march thus armed in a body, if they have choſen com- " manders or officers, if they march *cum vexillis explicatis* or with drums " or trumpets, and the like, it may be conſiderable, whether the great- " neſs of their numbers, and their continuance together doing theſe acts, " may not amount to *more guerrino arraiati*, or a levying of war *," which may be conſtrued an encroachment on the prerogative of the crown †; the anſwer is no leſs obvious than deciſive, in the language of BRACTON, that, *Voluntas et propoſitum diſtinguunt maleficia* ‡; that, the intent being good, the act cannot be bad; and that *Bedingfield's* caſe is an expreſs authority for the legality of " marching armed in a " body *more guerrino arraiati*," even for the purpoſe of executing a civil proceſs, to which there is juſt expectation of violent reſiſtance. So neceſſary, indeed, is *order* and *diſcipline* in directing the exertions of an armed aſſembly, that the ſtatutes 3 and 4 Edw. VI. c. 5. and 1 Mary, c. 12. (which are no longer in force, but were the models of the well-known riot-act) expreſsly authorize the ſheriffs, juſtices, mayors, and bailiffs, " to raiſe *power* and *array them in manner of war* againſt the " rioters :" and here I may again apply thoſe ſound maxims, to which

* 1 H. P. C. 131. † 3 Inſt. 9. ‡ L. 3. c. 14. § 13.

 I before

I before alluded: 1. That *the law requires no impoſſible things*; but it is impoſſible to join the power and ſuppreſs a riot effectually, without being at leaſt moderately ſkilled in the uſe of fire-arms, and ready in the common evolutions. 2. That, *when the law permits or enjoins the performance of any act, all the means of performing it are alſo permitted or enjoined*; but the law doth permit and command *every ſubject of this realm* to arm himſelf and uſe his arms with effect for the ſuppreſſion of tumults: the concluſion, in both forms of reaſoning, follows too cloſely and too evidently to admit of a doubt.

That the four caſes, on which I have relied, have never been ſhaken by any later deciſion, appears from the uniform recognition of their authority by the beſt modern writers: indeed, nothing leſs than an act of the legiſlature could juſtly over-rule unanimous and well-conſidered reſolutions; but no act whatever has in any degree affected them; and the common law, which in general is the perfection of human wiſdom, happily in this inſtance has ſtood like a rock amid the conflict of ſtatutes rolling upon ſtatutes.

Neither of the ſtatutes of Weſtminſter had any effect on the deciſion in *Bedingfield's* caſe; nor was that of *St. John* at all influenced by the ſubſequent prohibition of hand-guns; nor the *Caſe of Arms* by the ſtatute of *Northampton*; and though the act of queen *Mary* was continued during the life of *Elizabeth*, yet Sir *Matthew Hale* obſerves, that, "the caſe of *Drayton Baſſet* was not within that ſtatute, nor depending "on it*." In the ſame manner ſerjeant *Hawkins* remarks, in conformity to *Hale* and to reaſon, which will very ſeldom be found at variance, "that the ſtat. 1 Geo. I. c. 5. commonly called the riot-act, "being wholly in the affirmative, cannot be thought to take away any "part of the *authority* in the ſuppreſſing of a riot, which was before

* 1 H. P. C. 495.

"that

" that time given either to officers, *or private perſons*, by the common " law or by ſtatute *."

Having ſhown the nature and extent of the *Poſſe Comitatuum*, and proved that it is required by law to be equal in its exertion to a well-diſciplined army, I have eſtabliſhed the propoſition, which I undertook to demonſtrate †: " That the common and ſtatute laws " of the realm, in force at this day, give the *civil* ſtate in every county " a power, which, if it were perfectly underſtood and continually pre- " pared, would effectually quell any riot or inſurrection, without aſſiſt- " ance from the *military*, and even without the modern riot-act."

One ſide, therefore, of the diſtreſſing alternative, to which I was reduced, concerning the *precariouſneſs* of *Engliſh Freedom* ‡, is happily removed; but the other ſide remains, " that our laws have been " diſgracefully neglected, and ought to be reſtored to full vigour and " energy."

To what fatal cauſe muſt we aſcribe a neglect ſo ſhameful and ſo dangerous? I anſwer boldly, yet, I hope, without arrogance, ſince I uſe the very words of BLACKSTONE, " to the vaſt acquiſition of force " ariſing from the riot-act and the annual expedience of a ſtanding " army ‖ ;" which has induced a diſpoſition, cheriſhed by the indolence natural to man, and promoted by the exceſſive voluptuouſneſs of the age, to look up ſolely for protection to the executive power and the ſoldiery ; a diſpoſition, which muſt inſtantly be ſhaken off, *if* any ſpark of virtue remain in our boſoms; for, although we are happy in a prince, who " will never harbour a thought or adopt a perſuaſion in any the " remoteſt degree detrimental to the liberty of *Britain* §," yet in free

* 1 P. C. c. 65. † P. 690. ‡ P. 689. ‖ 4 Comm. 434. § 1 Bl. Comm. 337.

ſtates

ſtates a military power muſt ever be an object of jealouſy; and, ſince our excellent conſtitution will be claimed by our poſterity as their beſt inheritance, we muſt act with a provident care, leſt, two centuries hence, the fable of the horſe ſhould be verified in our deſcendants, who may be in need of protection againſt their protectors, and be forced to carry *harneſs*, notwithſtanding the repeal of the ſtatute of *Wincheſter*.

For the hiſtory of the riot-act, ſo laboured and ſo ineffectual, I muſt refer my reader to the incomparable author, whom I ſo frequently cite, the commentator on the laws of *England*; who expreſſes his jealouſy and diſapprobation of it with no leſs delicacy than wiſdom *: in reſpect to the number of capital felonies created by it, which *Blackſtone* ſeems highly to have diſapproved, I ſhall ſay nothing, as it is not my preſent ſubject; but I may, with all due reverence for the legiſlature in the firſt year of GEORGE the Firſt, obſerve, that the act was a bad copy of a bad model, the ſtatute of Mary; that there ſeems to have been no occaſion to make it perpetual, much leſs to enlarge it; that it is in ſome parts liable to dangerous miſinterpretation; that it has been found wholly inadequate to the end propoſed by it; and that the third clauſe of it was in great meaſure unneceſſary, as it only affirms "our ancient "law, which had pretty well guarded againſt any violent breach of "the peace †." Confirmatory ſtatutes are always attended with the danger of ſuperſeding the uſe, and obliterating the remembrance, of the common law, which they confirm, and which the wiſdom of ages had before ſufficiently eſtabliſhed.

As to the beſt mode of *reſtoring our laws to their full vigour and energy*, and of providing for our future defence, I ſhall certainly ſubmit it to the diſcretion of my countrymen who are bound by thoſe

* 4 Comm. 143.

† 4 Bl. Comm. 147.

laws;

laws; and ſhall only ſuggeſt to them the following plan; after premiſing, in the words of ſerjeant *Hawkins*, "that, although *private perſons may arm themſelves* in order to ſuppreſs a riot, and may conſequently *uſe arms* in the ſuppreſſing of it, if there be a neceſſity for their ſo doing; yet it ſeems to be extremely hazardous for private perſons to proceed to thoſe extremities in *common* caſes, leſt, under the pretence of keeping the peace, they cauſe a more enormous breach of it; and, therefore, ſuch violent methods ſeem only *proper* againſt SUCH RIOTS AS SAVOUR OF REBELLION, for the ſuppreſſing of which no remedies can be too ſevere*.

## *THE PLAN.*

### I.

Let all ſuch perſons in every county of ENGLAND as are included in the *power* of that county, and *are of ability to provide themſelves with arms*, and pay for learning the uſe of them, be furniſhed each with his *muſket* and *bayonet*, and their neceſſary appendages.

### II.

Let ſeveral *companies* be formed, in every county, of ſixty ſuch men or more, voluntarily aſſociated for the ſole purpoſe of joining the power, when legally ſummoned, and, with that view, of learning the proper uſe of their weapons, ſtreet-firing, and the various evolutions neceſſary in action.

### III.

Let the companies be taught, in the moſt private and orderly manner, for two or three hours early every morning, until they are competently ſkilled in the uſe of their arms: let them not, unneceſſarily, march

* 1 Hawk. P. C. c. 65.

through

through ſtreets or highroads, nor make any the leaſt *military* parade, but conſider themſelves entirely as part of the *civil* ſtate.

IV.

Let each member of a company, when he has learned the uſe of his arms, keep them for the defence of his houſe and perſon, and be *ready* to join his company in uſing them for the ſuppreſſion of riots, whenever the ſheriff, under-ſheriff, or peace officer ſhall raiſe the power, or there ſhall be *a cry made for weapons to keep the peace.*

V.

Let the *caution*, prefixed to this plan, be diligently obſerved, and the law, contained in the preceding citations, be held ever ſacred: nor let any *private* perſon preſume to raiſe the power of the county *, which is the province of the ſheriff, under-ſheriff or magiſtrate; although *a cry for weapons to keep the peace* may be made in caſes of extreme *neceſſity*, and in them only, by *private perſons.*

VI.

If any mark of diſtinction in dreſs ſhall be thought expedient, that the ſeveral companies may know each other, in the forcible ſuppreſſion of a riot, let ſuch a regulation be ſeverally referred, with any other rules that may be neceſſary, to a committee choſen out of each company.

The great advantages of ſuch aſſociations are ſo apparent, that I ſhall forbear at preſent to expatiate on them; but ſhall be ſatisfied with applying to them what PULTON ſays of the old tilts and juſts, "that the "cauſe, beginning, and end thereof do tend to the laudable exerciſe of "true valour and manhood, and to the encouragement and enabling of "the actors therein to defend the realm and the peace thereof †;" and

* 1 Hale, H. P. C. 601. † De Pace, 25. b.

with

with obſerving, in the words of the ſtat. 33 Hen. VIII. c. 6, that the muſket may now be made, what the long bow was formerly, "the "ſurety, ſafeguard, and continual defence, of this realm of *England*, "and an ineſtimable dread and terror to the enemies of the ſame."

Objections will certainly be raiſed; for who can propoſe a meaſure, however ſalutary, to which no man will object? I expect them, however, chiefly from thoſe, whoſe indolence may induce them rather to ſeek protection from a power able to cruſh them, than to protect themſelves by joining a power provided by free and equal laws; or from thoſe, who, as MILTON ſays, "have betaken themſelves to ſtate-affairs "with ſouls ſo unprincipled in virtue and true generous breeding, that "flattery, and court-ſhifts, and tyrannous aphoriſms, appear to them "the higheſt points of wiſdom." To ſuch men it will be ſufficient to give this general anſwer; that, as there is no neceſſity of applying either to the executive, or to the legiſlative, power for permiſſion to obey the laws, we are not to debate on vague notions of expedience, groundleſs jealouſies, or imaginary conſequences: the ſole queſtion is, "whether the doctrine expounded in theſe pages *be law*;" if it be, there is no room for deliberation, ſince it is a maxim, that *no man muſt think himſelf wiſer than the law*, which is the gathered wiſdom of many ages; and ſo favourable is the *common* law of ENGLAND to the rights of our ſpecies, which it is unhappily become the faſhion to deride and vilify, that, if any man will broach a poſition in favour of genuine, rational, manly freedom, I will engage to ſupply him with abundant authorities in ſupport of it.

I perſuade myſelf, that infinite good muſt reſult from the general adoption of my plan; and that no poſſible evil can be mixed with it, as long as the cautions and reſtrictions before ſuggeſted ſhall be duly obſerved, and our excellent conſtitution be kept in its juſt balance at that

nice

nice point, which is equally removed from the pernicious extremes of republican madneſs, ariſtocratical pride, and monarchical folly; nor have I any ſcruple to confeſs, that, as every ſoldier in ENGLAND is at the ſame time a citizen, I wiſh to ſee every citizen able at leaſt, for the preſervation of publick peace, to act as a ſoldier: when that ſhall be the caſe, the LIBERTY OF BRITAIN will ever be unaſſailed; for this plain reaſon—it will be unaſſailable.

The ſecurity, and conſequently the happineſs, of a free people do not conſiſt in their belief, however firm, that the executive power will not attempt to invade their juſt rights, but in their conſciouſneſs that any ſuch attempt would be wholly ineffectual.

SPEECH

# SPEECH

TO

*THE ASSEMBLED INHABITANTS OF*

THE COUNTIES OF

MIDDLESEX AND SURRY,

THE CITIES OF

LONDON AND WESTMINSTER,

AND THE BOROUGH OF

SOUTHWARK.

XXVIII MAY, M.DCC.LXXXII.

# ADVERTISEMENT.

*HAVING been informed, that parts of my Speech on the 28th of May at the* London Tavern *were thought obſcure, yet important, I have endeavoured to recollect what I then took the liberty to ſay, and have conſented to let the argument go abroad in its rude and unpoliſhed ſtate. What offence this publication may give, either in parts or in the whole, is the laſt and leaſt of my cares: my firſt and greateſt is, to ſpeak on all occaſions what I conceive to be juſt and true.*

A

# SPEECH

ON

# THE REFORMATION OF PARLIAMENT.

MY LORD MAYOR,

SO far am I from rifing to intimate the flighteft fhade of diffent from this refpectable and unanimous affembly, or the minuteft difapprobation of the two refolutions propofed, that I defpair of finding words fufficiently ftrong to exprefs my joy and triumph at the perfect harmony, with which the firft of them has already paffed, and to which the fecond will, I truft, be thought equally entitled: but, on the laft reading of the propofition now before you, it ftruck me, that, although it was in *fubftance* unexceptionable, yet it might eafily be improved in *form* by the infertion of two or three words referring to the preceding refolution, and thus be rendered more conducive to our great object of generally declaring our concurrent fenfe, and avoiding any chance of difunion upon fpecifick points. Every propofition, intended to meet with univerfal concurrence, ought to have three diftinguifhing properties; it fhould be juft, fimple, comprehenfive: without juftice, it will be rejected by the wife and good; without fimplicity, it will involve complex matter, on which the wifeft and the beft may naturally differ; and without comprehenfivenefs, it will never anfwer any purpofe of

confequence

confequence and extent. The firft refolution, "that petitions ought to "be prepared for a more complete reprefentation of the people," has all of thefe properties in an eminent degree: it is fo juft, that, if this meeting had been ten times as large, there would not have been one diffentient voice on that ground; fo fimple, that it affords no fcope or fubject for cavil; fo comprehenfive, that, when the houfe of commons have the petitions before them, it will give room for every particular plan, which the ingenuity of any member, duly tempered by wifdom, yet actuated by true patriotifm, can fuggeft.

Ought not the *fecond* propofition, "that the *fenfe of the people* fhould "be taken this fummer in order to prepare their *feveral* petitions," to be fomewhat reftrained in the generality of the expreffion? It is juft, but rather *too* comprehenfive: *the fenfe of the people* is a phrafe of meafurelefs compafs, and may include their feveral opinions, however fpecifick, however difcordant. This is the very evil, which we are anxious to prevent; fince we all agree, that no particular mode of reformation fhould be prefcribed to the houfe, left they fhould reject, for no other reafon, fome good plan, which, if left to the operation of their own minds, they may probably adopt. Might not the fentence be thus corrected, "that the fenfe of the people fhould be taken *on the* "*preceding refolution?*" But this I offer as a mere fuggeftion to wifer heads, and will not trouble the affembly by fhaping it into a motion: indeed, if both refolutions be taken together, and it be underftood, that we mean to recommend petitions on the *general* ground, in order to fhun that fatal rock, *diverfity of fentiment on particulars*, I defire no more, and am very little folicitous about accuracy of expreffion; hoping at the fame time, although the *five* circles here affembled have no right or pretenfion to take the lead in the nation, yet that the other counties, diftricts, and towns in *Great Britain* will approve our idea, and not difdain to follow our example: in that event I fmile at the thought of

of a miſcarriage, and am confident, that, with concurrence, perſeverance, and moderation, the people of *England* muſt prevail in a claim ſo eſſential to their liberty, and to the permanence of an adminiſtration, who profeſs to govern with their confidence.

Here I ſhould regularly ceaſe; eſpecially, as I now labour under the preſſure of the epidemical complaint, which alone can have prevented this meeting from being as numerous as it is reſpectable: it could not prevent my attendance, for, in health or in ſickneſs, I am devoted to your ſervice; and I ſhall never forget the words of an old *Roman*, LIGARIUS; who, when the liberties of his country were in imminent danger, and when a real friend to thoſe liberties was condoling with him on his illneſs at ſo critical a time, raiſed himſelf on his couch, ſeiſed the hand of his friend, and ſaid, *If you have any buſineſs worthy of yourſelves, I am well.*

It was not in truth my deſign to have ſpoken at all this evening; but, ſince I have riſen to explain a ſudden thought, I will avail myſelf of your favourable attention, and hazard a few words upon the *general* queſtion itſelf: on the ſmalleſt intimation of your wiſhes, I will be ſilent. Numbers will have patience to hear, who have not time to read; beſides, that it is always eaſier to ſpeak than to write; and, as to myſelf, a very particular and urgent occaſion, which calls me for ſome months from *England*, will deprive me of another opportunity to communicate my ſentiments in either form, until the momentous object before us ſhall be made certainly attainable through the concord, or for ever loſt and irrecoverable through the diſagreement, of the nation.

The only *ſpecious* argument, that I have anywhere heard, againſt a change in the parliamentary repreſentation of the people, is, that "a "*conſtitution*, which has ſtood for ages, ought not to be altered."

This

This objection appears on a ſuperficial view ſo plauſible, and applies itſelf ſo winningly to the hearts of *Engliſhmen*, who have an honeſt prejudice for their eſtabliſhed ſyſtem, without having in general very diſtinct ideas of it, that a detection of the *ſophiſm*, for ſuch I engage to prove it, becomes abſolutely neceſſary for the promotion of your glorious enterpriſe.

I will riſk your impatience; for, though I am aware, that alluſions to hiſtory and interpretations of old ſtatutes are not very proper in addreſſes to popular aſſemblies; yet, when popular aſſemblies take upon them, as they juſtly may, to act and reſolve upon conſtitutional points, they are bound to ſeek or to receive information, leſt their actions ſhould be raſh and their reſolutions ill-founded. A power exerted through paſſion or caprice, without a deep knowledge of the buſineſs in hand, and a fair application of the intellectual faculties, is a *tyrannical* power, whether it be regal, ariſtocratical, *or popular*; and the prevalence of any ſuch power, by the overbearing ſtrength of king, nobles, *or people*, would form an immediate *tyranny*, and in a moment ſubvert the conſtitution.

That conſtitution, which, I perſuade myſelf, will not be ſubverted, conſiſts of form and ſpirit, of body (if I may ſo expreſs myſelf), and of ſoul: but, in a courſe of years, the form is apt to deviate ſo widely from the ſpirit, that it becomes expedient almoſt every century to reſtore its genuine purity and lovelineſs. The objection, which I undertake to remove, is ſophiſtical, either by deſign or through ignorance; for the propoſition is true in one ſenſe of the word *conſtitution*, and falſe in the other; and the ſenſe, in which it is true, is inapplicable to the queſtion. It is true, that the *ſpirit* of the conſtitution ought not to be changed: it is falſe, that the *form* ought not to be corrected; and I will now demonſtrate, "that the ſpirit of our conſtitution requires a repre-

"ſentation

" ſentation of the people, nearly equal and nearly univerſal." Such as cannot or will not follow me in the premiſſes, both can and will (or I greatly deceive myſelf) bear away the concluſion in their memory; and it is of higher importance than they may imagine.

There has been a continued war in the conſtitution of *England* between two jarring principles; the evil principle of the feudal ſyſtem with his dark auxiliaries, ignorance and falſe philoſophy; and the good principle of increaſing commerce, with her liberal allies, true learning and ſound reaſon. The firſt is the poiſoned ſource of all the abominations, which hiſtory too faithfully records: it has blemiſhed and polluted, wherever it has touched, the fair form of our conſtitution, and for ages even contaminated the ſpirit. While any dregs of this baneful ſyſtem remain, you cannot juſtly boaſt of general freedom: it was a ſyſtem of niggardly and partial freedom, enjoyed by great barons only and many acred men, who were perpetually inſulting and giving check to the king, while they racked and harrowed the people. Narrow and baſe as it was, and confined excluſively to landed property, it admitted the *loweſt freeholders* to the due enjoyment of that ineſtimable right, without which it is a banter to call a man *free*; the right of voting in the choice of deputies to aſſiſt in making thoſe laws, which may affect not his property only, but his life, and, what is dearer, his liberty; and which are not laws, but tyrannous ordinances, if impoſed on him without his ſuffrage given in perſon or by deputation. This I conceive to have been the right of every freeholder, even by the feudal polity, from the earlieſt time; and the ſtatute of HENRY IV. I believe to have been merely declaratory: an act which paſſed in the *ſeventh* year of that prince, near four hundred years ago, ordains, that, "*all* they, who are " preſent at the county court, as well ſuitors *duly ſummoned* for the ſame " cauſe, *as others*, ſhall proceed to the election of their knights for the " parliament." *All ſuitors*, you ſee, had the right; and *all freeholders* were

were *ſuitors* in the court, however low the value of their freeholds. Obſerve all along, that one pound in thoſe days was equal to ten at leaſt in the preſent time. Here then is a plain declaration, that minuteneſs of *real* property created no harſh ſuſpicion of a dependent mind; for a harſh ſuſpicion it is, and, by proving too much, proves nothing.

What cauſed the abſurd, yet fatal, diſtinction between property, perſonal and real? The feudal principle. What created another odious diſtinction between *free* and *baſe* holdings, and thus excluded copyholds of any value? The feudal principle. What introduced an order of men, called *villains*, transferable, like cattle, with the land which they ſtocked? The feudal principle. What excludes the holders of beneficial leaſes? The feudal principle. What made perſonalty, in thoſe times, of little or no eſtimation? The feudal principle. What raiſed the ſilly notion, that the property, not the perſon, of the ſubject was to be repreſented? The feudal principle. What prevented the large proviſion in the act of *Henry* IV. by which *all freeholders* were declared electors, from being extended to *all* holders of *property*, however denominated, however inconſiderable? The ſame infernal principle, which then ſubdued and ſtifled the genuine equaliſing ſpirit of our conſtitution. Now, if we find that this demon was himſelf in proceſs of time ſubdued, as he certainly was by the extenſion of commerce under *Elizabeth*, and the enlarged conceptions which extended commerce always produces, by the revival of learning, which diſpelled the darkneſs of *Gothick* ignorance, and by the great tranſactions of the laſt century, when the true theory and genuine principles of freedom were unfolded and illuſtrated, we ſhall not heſitate to pronounce, that, by the *ſpirit* of our conſtitution, all *Engliſhmen*, having property of any kind or quantity, are entitled to votes in chuſing parliamentary delegates. The *form* ſoon received a cruel blemiſh; for, in the *eighth* of Henry VI. the property of ſuitors qualified

qualified to vote, was reſtrained to "*forty* ſhillings a year above all "charges," that is, to twenty pounds at leaſt by the preſent value of money. I agree with thoſe, who conſider this act as baſely ariſtocratical, as a wicked invaſion of clear popular rights, and therefore in a high degree unconſtitutional: it is alſo a diſgraceful confeſſion of legiſlative weakneſs; for the evil, pretended to be remedied by it, was, that the county elections were *tumultuary*. What! could not the wiſdom of the legiſlature ſuggeſt a mode of preventing tumult, if the laws already ſubſiſting had been inſufficient for that purpoſe, without ſhaking the obligation of all future laws, by narrowing the circle of thoſe, who, being affected by them, ought by natural equity to aſſiſt in framing them? Ridiculous and indefenſible!

In the *twelfth* of CHARLES II. the mighty fabrick of the feudal ſyſtem was ſhaken from its baſis; but, though its ramparts were overſet, its connexions and covered ways deſtroyed, and its very foundations convulſed, yet the ruins of it have been found replete with miſchief, and the miſchief operates, even while I ſpeak.

At the Revolution, indeed, the good ſpirit of the conſtitution was called forth, and its fair principles expanded: it is only ſince that auſpicious event, that, although we may laugh, when lawyers call their vaſt aſſemblage of ſenſe and ſubtilty *the perfection of human wiſdom*, yet we ſhall deride no man, who aſſerts the conſtitution of *England* to be in theory the moſt perfect of human ſyſtems—in theory, not in practice; for, although you are clearly entitled to all the advantages, which the *principles* of the conſtitution give you, while you claim thoſe advantages by cool and decent petition, yet, either from ſome unaccountable narrowneſs in the managers of the Revolution, or from the novelty and difficulty of their ſituation, they left their noble work ſo unfiniſhed, and the feudal poiſon ſo little exterminated, that, to uſe the

the words of your favourite poet, " they ſcotched the ſnake, not killed " it." Who could have imagined, that, in the *eighteenth* of GEORGE II. the ſtatute of *Henry* VI. would have been adopted and almoſt tranſcribed? Who could have dreamed, that, in the *thirty-firſt* of the ſame king, the laſt act would have been recited and approved, with a declaration added, that no tenant by copy of court roll ſhould vote at an election for knights of the ſhire under penalty of fifty pounds? It was the accurſed feudal principle, which ſuggeſted theſe laws, when the faireſt opportunity preſented itſelf of renovating the conſtitution. Another gale has now ſprung up; and, unleſs you catch it while it blows, it will be gone for ever.

I have proved, unleſs I delude myſelf, " that the ſpirit of our con-" ſtitution requires a repreſentation of the people nearly equal and " nearly univerſal." Carry this propoſition home with you, and keep it as an anſwer to thoſe, who exclaim " that the conſtitution ought not " to be changed." I ſaid *nearly* univerſal; for I admit, that our conſtitution, both in form and ſpirit, requires *ſome* property in electors, either real or perſonal, in poſſeſſion or in action; but I conſider a *fair trade* or *profeſſion* as *valuable property*, and an *Engliſhman*, who can ſupport himſelf by honeſt induſtry, though in a low ſtation, has often a more independent mind than the prodigal owner of a large encumbered eſtate. When *Prynne* ſpeaks of *every inhabitant and commoner*, to whom he ſuppoſes that the right of voting originally belonged, I cannot perſuade myſelf, that he meaned to include ſuch, as, having nothing at all, and being unable or unwilling to gain any thing by art or labour, were ſupported by alms.

If modern authorities be demanded in aid of my opinions, I ſhall only mention the great judge, Sir *William Blackſtone*, and I mention him the more willingly, becauſe he never profeſſed democratical ſentiments, and,

and, though we admire him as the ſyſtematical arranger of our laws, yet we may fairly doubt the popularity of his political notions: nevertheleſs, he openly allows in his Commentary, "that the ſpirit of our "conſtitution is in favour of a more complete repreſentation of the "people." This too is allowed by the very man, who, in another tract, intimates an opinion, "that the value of freeholds themſelves "ſhould be greatly advanced above what is now required by law to "give the proprietor a voice in county elections." I told you, that all reaſoning from the ſtatute of *Henry* VI. proved too much, and, conſequently, nothing; for, who now would bear the idea of diſqualifying thoſe electors of *Surrey* and *Middleſex*, whoſe freeholds were not of the annual value of twenty pounds?

I hear a murmur among you, and perceive other marks of impatience. Indulge me a moment, and I will deſcend; but let me not be miſapprehended. I do not propoſe to conclude with a ſpecifick motion: it is my deliberate opinion, confirmed by my obſervations on the event of your aſſociations *to reduce the influence of the Crown*, that your petitions and reſolutions muſt be *very general*. In my own mind I go along with you to the full length of your wiſhes. If the preſent ſyſtem of repreſentation be juſtly compared to a tree rotten at the heart, I wiſh to ſee removed every particle of its rottenneſs, that a microſcopick eye could diſcern. I deride many of the faſhionable doctrines: that of *virtual* repreſentation I hold to be *actual* folly; as childiſh, as if they were to talk of *negative* repreſentation, and to contend, that it involved any *poſitive* idea. Subſtitute the word *delegation* or *deputation*, inſtead of repreſentation, and you will inſtantly ſee the abſurdity of the conceit. Does a man, who is *virtually*, not *actually*, repreſented, delegate or depute any perſon to make thoſe laws, which may affect his property, his freedom, and his life? None; for he has no ſuffrage. How then is he repreſented according to the principles of our conſtitution? As well

well might a *Roman* tyrant have urged, that all his vaſſals were repreſented in his perſon: he was augur and high prieſt; the religious ſtate was, therefore, repreſented by him: he was tribune of the people; the popular part of the nation were, therefore, repreſented: he was conſul, dictator, maſter of the horſe, every thing he pleaſed; the civil and military ſtates were, therefore, concentrated in him; the next deduction would have been, that the ſlaves of his empire were free men. There is no end of abſurdities deducible from ſo idle a play upon words.

That there may be an end of my addreſs to you, which has been too long for the place and occaſion, but too ſhort for the ſubject, I reſume my ſeat with a full conviction, that, if united, and dependent on Yourſelves alone, you muſt ſucceed; if diſunited, or too confident in others, you muſt fail. Be perſuaded alſo, that the people of *England* can only expect to be the happieſt and moſt glorious, while they are the freeſt, and can only become the freeſt, when they ſhall be the moſt virtuous, and moſt enlightened, of nations.

TO

TO * * * *

*London, May* 14, 1782.

SIR,

I TAKE the liberty of ſubmitting to your ſerious attention the *Plan* of *National Defence* lately ſuggeſted by government, compared with a *different* plan now approved, though ſubject to reviſion, by a *Company of Loyal Engliſhmen*, of which I have the honour to be One. You will inſtantly ſee, that the *firſt* plan was nobly conceived by ſome great mind, and intended for the nobleſt purpoſes; but that, in the *detail*, it appears to be *innovating*, harſh, unconſtitutional, and big with alarming conſequences; too *expenſive* for the treaſury, who have no treaſures to laviſh, and too *diſtruſtful* of a generous and ſpirited people, who would *vigorouſly ſupport* a government that *ſincerely confided* in them. The *ſecond* plan you will find (and we pledge our honours to prove) *already ſanctioned*, and even *required*, by Law, agreeable to the Conſtitution, and calculated to preſerve it; not too expenſive to *real* patriots, who will hardly be niggards at ſuch a moment as this; and not at all dangerous to ſo wiſe and juſt a government as the preſent. If nothing can raiſe a manly ſpirit, and excite a liberal emulation, in *Engliſh* gentlemen, yeomen, and traders, but the actual deſcent of *three united armies* on our coaſts, they will *then* vainly ſolicit that protection for their houſes and families, which they *now* have in their own hands, on a glorious invitation from the Firſt and Beſt of Magiſtrates. I am, &c.

A VOLUNTEER.

*P. S.* Give me leave to obſerve, that the Lords-Lieutenants, as ſuch, have no more to do with this great buſineſs than the bench of Biſhops.

HEADS

# HEADS OF A PLAN

*For raiſing Corps in ſeveral principal Towns in Great Britain, incloſed in a Letter from the* EARL *of* SHELBURNE *to the* CHIEF MAGISTRATES *of ſeveral Cities and Towns.*

1ſt. THE principal towns in Great Britain to furniſh one or more battalions each, or a certain number of companies each, in proportion to their ſize and number of inhabitants.

2d. The officers to be appointed from among the gentlemen of the neighbourhood, or the inhabitants of the ſaid towns, either by commiſſion from his Majeſty, or from the Lord-Lieutenant of the County, upon the recommendation of the Chief Magiſtrate of the town in which the Corps are raiſed.

3d. They are to be poſſeſſed of ſome certain eſtate in land or money, in proportion to their rank.

4th. An Adjutant or Town-Major in each town to be appointed by his Majeſty.

5th. A proper number of Serjeants and Corporals from the army to be appointed for the Corps in each town, in proportion to their numbers.

6th. The ſaid Serjeants and Corporals, as well as the Adjutant or Town-Major, to be in the Government pay.

7th. The men to exerciſe frequently, either in battalions, or by companies, on Sundays, and on Holidays, and alſo after their work is over in the evenings.

8th.

8th. Arms, accoutrements, and ammunition, to be furniſhed at the expenſe of Government, if required.

9th. Proper magazines, or ſtorehouſes, to be choſen or erected in each town, for keeping the ſaid arms, &c.

10th. The arms and accoutrements to be delivered out at times of exerciſe only, and to be returned into the ſtorehouſes as ſoon as the exerciſe is finiſhed.

11th. The Adjutant or Town-Major to be always preſent at exerciſe, and to ſee that the men afterwards march regularly, and lodge their arms in the ſtorehouſes.

12th. Proper penalties to be inflicted on ſuch as abſent themſelves from exerciſes, as alſo for diſobedience of orders, inſolence to their officers, and other diſorderly behaviour.

13th. The above Corps not to be obliged, on any account, or by any authority whatever, to move from their reſpective towns, except in times of actual invaſion or rebellion.

14th. His Majeſty ſhall then have power to order the ſaid corps to march to any part of Great Britain, as his ſervices may require.

15th. They are, on ſuch occaſions, to act either ſeparately, or in conjunction with his Majeſty's regular forces, and be under the command of ſuch General Officers as his Majeſty ſhall think proper to appoint.

16th. Both officers and men to receive full pay as his Majeſty's other regiments of foot from the day of their march, and as long as they ſhall continue on ſervice out of their towns.

17th.

17th. They are to be ſubject to military diſcipline, in the ſame manner as his Majeſty's regular forces, during the ſaid time of their being called out, and receiving government pay.

18th. All officers who ſhould be diſabled in actual ſervice to be entitled to half-pay, and all non-commiſſioned officers and private men, diſabled, to receive the benefit of Chelſea Hoſpital.

19th. The widows of officers killed in the ſervice to have a penſion for life.

20th. The time of ſervice to be named.

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## SKETCH OF A PLAN

*For raiſing a Conſtitutional Force in the Towns, Cities, and Counties of Great Britain; being an Anſwer, article by article, to the Plan annexed.*

1ſt. AGREED, *with this addition*—And other Battalions, or Companies, to be alſo *voluntarily* formed out of *the Hundreds*, *Tythings*, and *Hamlets*, *of each county*, in proportion to its extent and populouſneſs.

2d. The *Officers*, and, in ſome companies, the *men*, to enrol themſelves, from among the *Gentry*, *Yeomanry*, and *Subſtantial Houſeholders*, and the Officers to be commiſſioned reſpectively by *the High Sheriff*, and *Chief Magiſtrate*, of each *county* and *town*.

3d. The *ranks* of the Officers to be proportioned to their *contributions* to a fund raiſed for purpoſes mentioned in ſubſequent articles.

4th.

4th. An Adjutant or Town-Major in each *county* or *town*, to be *elected by the Officers*.

5th. *Agreed*, for the purpose of *drilling* the men, until a certain number of the *volunteers* can be qualified to act as Serjeants and Corporals.

6th. The said Drill-Serjeants and Corporals *from the army* to *continue* in the pay of government; but the Adjutants and Town-Majors to be paid, *if they desire pay*, out of a *fund* voluntarily raised for that purpose in the several counties and towns.

7th. Agreed.

8th. Arms, Accoutrements, and Ammunition, to be furnished at the expense of *the counties and towns*, *if required*; or of the *officers*, if they are generously disposed.

9th. The said arms, &c. to be kept by each man, in *his own house*, for his *legal* protection.

10th. Rejected.

11th. The *officers* to take care, after exercise, that the men march regularly, and return home with their arms.

12th. Agreed, *with this addition*—A set of *Laws*, or *Articles*, to be drawn up by the Officers, and *subscribed* or *openly consented to* by the men, *after a distinct reading and explanation of each article*. "Consensus "facit Legem."

13th. Agreed, the words *counties or* being inserted after the word *respective*.

14th. The *high ſheriff* of each *county*, and *chief magiſtrate* of each *town*, ſhall then (on due notice to government) have power to order the ſaid corps to march to any part of *Great Britain*, as the *publick* ſervice may require.

15th. Agreed, in caſe of *actual invaſion*; but in *riots* the *magiſtrates* to call out their reſpective *corps*: and, as to *rebellion*, or *civil* war, (which God avert!) no ſpecifick proviſions can be made for ſo dreadful and improbable an event.

16th. The counties and towns to pay the men *who require it*; but ſuch, as enroll themſelves *without* pay, to wear ſome mark of diſtinction, and the officers to ſerve at *their own* expenſe.

17th. Agreed, in caſe of *actual invaſion* only; but the words, *and receiving government pay*, to be omitted.

18th. Officers diſabled in actual ſervice to be rewarded by a *new order* (as a ſtar and ribband, *orange coloured* or mixed), or by an *eulogium proclaimed* and *recorded* by the *ſheriffs* of their ſeveral *counties*, or the *chief magiſtrates* of their corporate *towns*; and the men to receive a comfortable ſubſiſtence at their own homes, with a fixed *annuity for life* out of the voluntary fund.

19th. The *widows* and *children* of Officers and Men killed in the ſervice *againſt invaders* to have alſo *penſions for life*.

20th. The companies called out as above to be diſcharged *ipſo facto*, as ſoon as the *invaders* are *repelled*, or the *particular ſervice terminated*.

*A Company of* Loyal English Gentlemen.

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